

the observance of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

By Mr. McFARLANE: Joint resolution (H. J. Res. 506) to transfer jurisdiction of the Legislative Reference Service to the President of the Senate and the Speaker of the House of Representatives; to the Committee on the Library.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York: A bill (H. R. 8438) granting an increase of pension to Sarah J. Tompkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8439) granting an increase of pension to Maryette Vannatta; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8440) granting an increase of pension to Addie Webster; to the Committee on Invalid Pensions.

By Mr. DIXON: A bill (H. R. 8441) granting a pension to Alta Abbott White; to the Committee on Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 8442) granting an increase of pension to Louise Essenmacher; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 8443) for the relief of Walter W. Johnston; to the Committee on War Claims.

By Mr. SACKS: A bill (H. R. 8444) for the relief of Silvio Bonanni; to the Committee on Immigration and Naturalization.

By Mr. SANDERS: A bill (H. R. 8445) to appoint Lt. Calvin Berry White, junior grade, a lieutenant, Supply Corps, on the retired list of the Navy to rank from July 1, 1936, with retired pay based upon his total active service in the Navy; to the Committee on Naval Affairs.

By Mr. SIMPSON: A bill (H. R. 8446) granting an increase of pension to Fannie Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8447) granting an increase of pension to Mary J. Meiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8448) granting a pension to Helen M. Cisna; to the Committee on Invalid Pensions.

By Mr. STACK: A bill (H. R. 8449) granting a pension to Florence Colben; to the Committee on Invalid Pensions.

By Mr. WADSWORTH: A bill (H. R. 8450) granting a pension to Anna M. Fay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8451) granting a pension to Harriet B. Sampson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8452) granting a pension to Elizabeth Masters; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3365. By Mr. ARNOLD: Petition of C. H. Crews, of Lawrenceville, Ill., favoring the enactment of a feasible and legal farm bill; to the Committee on Agriculture.

3366. By Mr. FITZPATRICK: Petition of the New York Department of the American Gold Star Mothers, urging the submission to the States of a constitutional amendment requiring a popular referendum before war is declared, except when the United States is invaded; to the Committee on the Judiciary.

3367. By Mr. THURSTON: Petition of members of the New Salem Baptist Church, of Pleasanton, Iowa, appealing to the Congress to keep us out of war; to the Committee on Foreign Affairs.

3368. By Mr. CURLEY: Petition of the Port Morris Community Council, Bronx, New York City, urging elimination of slum areas in the lower Bronx, New York City; to the Committee on Banking and Currency.

3369. By Mr. KEOGH: Petition of the American Federation of Labor, Washington, D. C., concerning the continuation of the Civil Service Commission as a bipartisan body; to the Committee on the Civil Service.

3370. Also, petition of Harry D. Watts, vice president, James Stewart & Co., New York City, concerning the revision of the tax structure during the present special session; to the Committee on Ways and Means.

3371. By Mr. LESINSKI: Resolution of the Allegan Central Grange, No. 53, Allegan, Mich., opposing the passage of the wage and hour bill; to the Committee on Labor.

3372. Also, resolution of the American Federation of Labor, approving and endorsing the Civil Service Commission; to the Committee on the Civil Service.

3373. Also, resolution of the American Federation of Labor, reaffirming approval of the United States Employees' Compensation Commission; to the Committee on the Civil Service.

3374. Also, resolution of the International Brotherhood of Electrical Workers, Local Union 58, Detroit, Mich., favoring Government owned and controlled hospitals; to the Committee on Ways and Means.

3375. By Mr. KEOGH: Petition of the United Federal Workers of America, Washington, D. C., concerning the reorganization of Federal departments; to the Select Committee on Government Organization.

3376. Also, petition of the Westvaco Chlorine Products Corporation, New York City, concerning Senate bill 69 and House bill 147, known as the "70-car train bill"; to the Committee on Interstate and Foreign Commerce.

3377. Also, petition of the Maritime Association of the port of New York, concerning any change in the administration and methods of procedure in the improvement of our ports and other navigable waters; to the Committee on Merchant Marine and Fisheries.

3378. Also, petition of the Hospital Bureau of Standards and Supplies, New York City, concerning exemption of hospitals which may tend to increase the cost of their supplies or operation; to the Committee on Ways and Means.

## SENATE

FRIDAY, NOVEMBER 19, 1937

(Legislative day of Tuesday, November 16, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

PETER G. GERRY, a Senator from the State of Rhode Island, appeared in his seat today.

#### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, November 18, 1937, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum and ask that the roll be called.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Herring	O'Mahoney
Andrews	Connally	Hitchcock	Overton
Ashurst	Copeland	Johnson, Colo.	Pepper
Austin	Davis	King	Pittman
Bailey	Dieterich	La Follette	Pope
Bankhead	Donahey	Lee	Radcliffe
Barkley	Duffy	Lewis	Russell
Berry	Ellender	Logan	Schwartz
Bilbo	Frazier	Loneragan	Schwellenbach
Bone	George	Lundeen	Sheppard
Borah	Gerry	McAdoo	Shipstead
Bridges	Gibson	McCarran	Smith
Brown, N. H.	Gillette	McGill	Steiwer
Bulkley	Glass	McKellar	Thomas, Okla.
Bulow	Graves	McNary	Thomas, Utah
Burke	Green	Maloney	Truman
Byrd	Guffey	Miller	Tydings
Byrnes	Hale	Murray	Vandenberg
Capper	Harrison	Neely	Van Nuys
Caraway	Hatch	Norris	Wagner
Chavez	Hayden	Nye	White

Mr. LEWIS. I announce that the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr.

HUGHES], and the Senator from North Carolina [Mr. REYNOLDS] are absent because of illness.

The junior Senator from New Jersey [Mr. SMATHERS] is absent because of illness in his family.

The Senator from Michigan [Mr. BROWN], the senior Senator from New Jersey [Mr. MOORE], the Senator from Indiana [Mr. MINTON], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are necessarily detained from the Senate.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

#### DIRECTOR, COLUMBIA INSTITUTION FOR THE DEAF

The VICE PRESIDENT reappointed the Senator from New York [Mr. COPELAND] a director of the Columbia Institution for the Deaf under the provisions of law.

#### CONSULTING TRUSTEE, NATIONAL TRAINING SCHOOL FOR BOYS

The VICE PRESIDENT appointed the Senator from Massachusetts [Mr. LODGE] a consulting trustee of the National Training School for Boys under the provisions of law.

#### PETITION

The VICE PRESIDENT laid before the Senate a petition of several citizens of Brooklyn, N. Y., praying for enduring world peace, which, with the accompanying papers and photographs, was referred to the Committee on Foreign Relations.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LEWIS:

A bill (S. 3027) for the relief of Mildred Lane; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 3028) for the relief of Arthur N. Knofft; to the Committee on Claims.

By Mr. LONERGAN:

A bill (S. 3029) for the relief of Dr. A. F. McDonald; to the Committee on Finance.

By Mr. ELLENDER:

A bill (S. 3030) to promote the maintenance of an adequate and balanced flow of rice in interstate and foreign commerce; to maintain, so far as is practicable, parity of income for producers of rice; to provide a surplus reserve of rice; to conserve national soil resources and prevent the wasteful use of soil fertility; and for other purposes; to the Committee on Agriculture and Forestry.

#### PROPOSED REPEAL OF SURTAX ON UNDISTRIBUTED PROFITS—AMENDMENT

Mr. BRIDGES submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (H. R. 6215) to repeal provisions of the income tax requiring lists of compensation paid to officers and employees of corporations, which was ordered to lie on the table and to be printed.

#### BIRTHRIGHT OF NATURAL-BORN CITIZENS OF UNITED STATES—DECISION OF DISTRICT COURT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD memorandum of opinion by Mr. Justice Bailey, of the United States District Court for the District of Columbia, in the case of Marie Elizabeth Elg against Frances Perkins, Secretary of Labor, relative to citizenship, deportation, etc., of natural-born American citizens, which appears in the Appendix.]

#### PREVENTION OF AND PUNISHMENT FOR LYNCHING

The VICE PRESIDENT. The question is on the motion of the Senator from New York [Mr. WAGNER] to proceed to the consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State equal protection of the laws and to punish the crime of lynching.

When the Senate took a recess last evening the Senator from Florida [Mr. PEPPER] had the floor. The Chair, therefore, recognizes the Senator from Florida.

Mr. PEPPER. Mr. President, in the course of my remarks yesterday I was making some comment upon what I regarded

as an opportunity for the House and the Senate to indicate not only before the country but before the world the democratic processes of government. I read in the course of those remarks some comments from the President of the United States in respect to that point, because, preeminently among all the leaders of the world, has our President stood out as a proponent of the preservation of the democratic processes in the governments of men.

In his message of January 6, 1937, to the Congress, further speaking toward the same point, the President said:

The recovery we sought was not to be merely temporary. It was to be a recovery protected from the causes of previous disasters. With that aim in view—to prevent a future similar crisis—you and I joined in a series of enactments—safe banking and sound currency, the guaranty of bank deposits, protection for the investor in securities, the removal of the threat of agricultural surpluses, insistence on collective bargaining, the outlawing of sweatshops, child labor, and unfair trade practices, and the beginnings of security for the aged and the worker.

Nor was the recovery we sought merely a purposeless whirring of machinery. It is important, of course, that every man and woman in the country be able to find work, that every factory run, that business as a whole earn profits. But government in a democratic nation does not exist solely, or ever primarily, for that purpose.

It is not enough that the wheels turn. They must carry us in the direction of a greater satisfaction in life for the average man. The deeper purpose of democratic government is to assist as many of its citizens as possible—especially those who need it most—to improve their conditions of life, to retain all personal liberty which does not adversely affect their neighbors, and to pursue the happiness which comes with security and an opportunity for recreation and culture.

Even with our present recovery we are far from the goal of that deeper purpose. There are far-reaching problems still with us for which democracy must find solutions if it is to consider itself successful.

For example, many millions of Americans still live in habitations which not only fail to provide the physical benefits of modern civilization but breed disease and impair the health of future generations.

Mr. CONNALLY. Mr. President, will the Senator yield to me a moment?

Mr. PEPPER. I yield.

Mr. CONNALLY. I rise to a question of the privileges of the Senate. I inquire of the Presiding Officer and, through him, of the Sergeant at Arms by what authority the walls of the Senate Chamber have been opened to the placing of placards? I have no objection to Senators using maps and charts in the course of making a speech, but I do not regard the Senate as yet having degenerated to the level where its walls are to be placarded with advertisements. I should like to know by whose authority this placard was placed on the wall of the Senate Chamber.

Mr. CLARK. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. CLARK. I can say for the information of the Senator from Texas that the placard was placed there at my request. Ever since I have been a Member of the Senate, and I do not know how long before that time, it has been the custom for any Senator to have placed on the walls any placard or exhibit he wished. I do not know that there is any rule or regulation to authorize it. I simply asked to have the exhibit placed on the wall and followed the rule or custom which has been in effect ever since I have been a Member of this body.

Mr. CONNALLY. I should like to know by what authority the Senator from Missouri takes over the functions of the entire Senate. If he performs the function of an individual Senator from Missouri, I think he will have plenty to do.

Mr. CLARK. The Senator from Texas is just as familiar as I am with the fact that it has always been the custom, at least for many years, for Senators to place placards or exhibits of any sort on the wall of the Senate Chamber.

Mr. CONNALLY. The Senator from Texas has already said he is familiar with the fact that when a Senator is making a speech he can use a map or chart to illustrate his speech, but the Senator from Texas is not familiar with any rule or any privilege that any Senator may use the walls of the Senate Chamber to place there whatever he sees fit. If that is what the Senator from Missouri proposes to do, I invoke the action of the Senate. Why does not the Senator

from Missouri put alongside of this placard some pictures of the maimed and mangled and bleeding bodies of some of the innocent children who have been outraged by the foul fiends whom the Senator from Missouri is undertaking to defend here on the floor of the Senate?

I appeal to the Senate with reference to this matter.

Mr. CLARK. Mr. President, will the Senator from Florida yield to me?

Mr. PEPPER. I yield.

Mr. CLARK. I can very readily understand how it may be irksome to the Senator from Texas to have these exhibits presented. It may cause some faint flurry of that conscience for which the Senator from Texas used to be renowned, but which his conduct this week has led most of us to believe has become calloused. There is some reason for the Senator from Texas to object to the placard. If the Senator from Texas desires to make a motion to have the placard taken down, I am not prepared to object, because it has already served its purpose with the Senator from Texas and has served my purpose better than anything I could possibly have done by causing him to get up and make this objection against it.

Mr. CONNALLY. Of course, the Senator from Missouri admits the purpose of putting it there is to get some headlines in the newspapers.

Mr. CLARK. The purpose was to arouse someone's conscience.

Mr. CONNALLY. I have not yielded, and I refuse to yield.

Mr. CLARK. Very well; I can take the floor in my own right.

Mr. CONNALLY. Take it then, but take your seat now. I invoke the rule against the Senator from Missouri that he must take his seat.

Mr. CLARK. I should like to see that rule.

Mr. CONNALLY. The Senator knows what the rules are. He has said he knows the rules.

Mr. CLARK. I should be glad to have the Senator show me that rule.

Mr. CONNALLY. I do not yield further to the Senator from Missouri. If the Senator knows the A B C's of parliamentary procedure, he knows he has no right to interrupt me without first getting my consent, and he has not gotten it.

No; the Senator from Missouri admits the placard has served its purpose. Of course it has. It has served his purpose to get his name in the newspapers. It has served his purpose to call attention to this matter. I know that is what it is for, but I protest against the Senate being made a sewer for the vaporings of the Senator from Missouri.

Mr. CLARK. Mr. President, I call the Senator from Texas to order.

The PRESIDENT pro tempore. The Senator from Texas is called to order, and under the rule he will have to take his seat.

Mr. CONNALLY. The Senator from Texas obeys the rule and takes his seat.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. CONNALLY. No, Mr. President. When I take my seat the question must be submitted to the Senate whether I shall be permitted to proceed in order.

Mr. LEWIS. Mr. President, I move that the Senator from Texas be allowed to proceed in order.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Illinois that the Senator from Texas be allowed to proceed in order. [Putting the question.] The ayes have it.

Mr. CONNALLY. I had two votes to allow me to proceed in order and none against me. Now that I may proceed in order, which I was doing before—

The PRESIDENT pro tempore. May the Chair state that the Senator from Florida [Mr. PEPPER] has the floor. He yielded to the Senator from Texas, and if he desires to yield further it is for him to say.

Mr. CONNALLY. The Senator from Florida knows that as well as the Chair. I understand the Chair's insinuation.

The Chair's insinuation is that the Senator from Florida should not yield further to the Senator from Texas. I want to say that the presiding officer of this Chamber is supposed to be its servant and not its master. Within the last few days we have had examples of temporary occupants of the chair trying to boss the Senate. He will not boss me.

I yield the floor. I do not want to embarrass the Senator from Florida, but since the Senator from Missouri [Mr. CLARK] consents to the removal of the placard—

Mr. CLARK. O Mr. President, I did not say anything of the kind. I said if the Senator from Texas desires to make a motion, I shall not oppose it, but I desire to discuss it.

Mr. CONNALLY. I protest against this placard staying here on the wall of the Senate Chamber.

The PRESIDENT pro tempore. The Senator from Florida has the floor. Does he yield to the Senator from Texas.

Mr. PEPPER. If the Senator from Texas is through, I shall continue my remarks.

Mr. CONNALLY. I do not care to embarrass the Senator from Florida, and I shall not ask him to yield further. I have more consideration for the feeling of my fellow Senators than some of those who now and then for a brief moment occupy the chair or vent their vaporings here on the floor.

The PRESIDENT pro tempore. The Senator from Florida will proceed.

Mr. PEPPER. I continue reading the President's message:

The menace exists not only in the slum areas of the very large cities but in many smaller cities as well. It exists on tens of thousands of farms, in varying degrees, in every part of the country.

Another example is the prevalence of an un-American type of tenant farming. I do not suggest that every farm family has the capacity to earn a satisfactory living on its own farm. But many thousands of tenant farmers—indeed, most of them—with some financial assistance and with some advice and training can be made self-supporting on land which can eventually belong to them. The Nation would be wise to offer them that chance instead of permitting them to go along as they do now, year after year, with neither future security as tenants nor hope of ownership of their homes nor expectation of bettering the lot of their children.

Another national problem is the intelligent development of our social security system, the broadening of the services it renders, and practical improvement in its operation. In many nations where such laws are in effect success in meeting the expectations of the community has come through frequent amendment of the original statute.

And, of course, the most far-reaching and the most inclusive problem of all is that of unemployment and the lack of economic balance, of which unemployment is at once the result and the symptom. The immediate question of adequate relief for the needy unemployed who are capable of performing useful work I shall discuss with the Congress during the coming months. The broader task of preventing unemployment is a matter of long-range evolutionary policy. To that we must continue to give our best thought and effort. We cannot assume that immediate industrial and commercial activity which mitigates present pressures justifies the National Government at this time in placing the unemployment problem in a filing cabinet of finished business.

Mr. President, that was an utterance of our Chief Executive on the 6th of January, at the convening of this Congress. That utterance was a challenge to the American Congress, as a functioning agency of the democratic process, to be responsible as a government to the people of this Nation and to supply, through government, the needs of the people of this Nation.

How well have we met that challenge?

A little while ago it became socially proper and commendable and smart in some quarters to castigate the American Congress as what some called a "rubber stamp." I raise the question that when the American Congress followed the leadership of the American President we got something done. At least we were on the way to the completion of the greatest legislative program this country has ever witnessed. I recognize that the Constitution places in separate categories the three departments of our Government, and I recognize that there is no constitutional or moral right for one of those agencies to project its own power into another department of our Government; but that constitutional division of authority neither prohibits nor denies to either of those departments the assertion of a moral leadership which will be persuasive on the conscience and conducive to the cooperation

of the other departments. So I say that the American Congress is faced with an alternative, if you please: Either follow the President in his course, or else by our own initiative bring forth something and enact something comparably worthy to what he invites us, with him and following him, to do.

So, if there are Senators who would like to see the American Congress reassert its so-called independence, then let the American Congress indicate to the American people that we are an efficiently functioning agency of their Government which will actually achieve a solution of some of the pressing problems confronting the Nation.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. VANDENBERG. I ask the Senator if he saw in the newspaper this morning a dispatch from Paris reading as follows?—

American Ambassador William C. Bullitt went to Poland to advise Polish Foreign Minister Joseph Beck not to join the Italo-German-Japanese anti-Communist pact, it was reported today.

Bullitt was reported acting under instructions from President Roosevelt.

I wonder whether the Senator does not think the Congress might well express itself upon that subject.

Mr. PEPPER. I think the whole international situation is worthy of the Congress's constant attention and regard.

Mr. LEWIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Illinois?

Mr. PEPPER. I do.

Mr. LEWIS. I ask the able Senator whether it is not more worthy that we should investigate and ascertain if there be any truth in these reports which find their way into the newspapers, and to which the able Senator from Michigan attaches importance; because it is inconceivable to me that the present Ambassador to France, with his experience in Russia and his experience in the State Department, should have blundered into such action as is intimated in that report, though I do not deny that perchance someone has given such a report to the press. But I ask the able Senator from Michigan if he does not agree with me that the thing to do is to ask the State Department whether or not what is stated in the dispatch is a fact before we come to judgment upon the question?

Mr. VANDENBERG. Mr. President, will the Senator from Florida yield further?

Mr. PEPPER. I yield.

Mr. VANDENBERG. What the Senator from Illinois says is precisely my view. I am submitting merely that with a constant stream of messages from Europe which indicate that our roaming ambassador seems to be engaged in divers and sundry mysterious conferences, followed as they are by this amazing dispatch—which I agree with the Senator from Illinois is almost unbelievable—I say with him, and in the spirit of the observation made by the Senator from Florida, that here is a thing we ought to look into and find what the facts are. I am speaking for a request for the facts.

Mr. LEWIS. And to that I give my accord. The State Department should at once seek to ascertain whether the newspaper reports accurately state the situation.

I thank both Senators for yielding to me.

Mr. PEPPER. And so, Mr. President, we find ourselves back here in the special session of the Congress, in response to the call of the President, and, given the President's recommendation, constitutionally made, that we regard in our activities four specific subjects for legislation. The first one is agriculture; and I think it well that the President placed the problem of agriculture first upon the list of pressing and crying problems confronting the American Government, because agriculture is admitted by all to be the basic industry of this country. When the time shall come when men who dwell upon the soil that their forefathers made sacred by their sacrifice, with diligent and honest labor and toil, with frugality and thrift, with the exercise of reasonable judgment and discretion, are unable to make a livelihood out of

that soil, then the foundations of American life will have become dangerously uncertain and insecure; and yet the facts are admitted by all to disclose the plight of American agriculture as being little less than tragic.

With respect to the agricultural program, Mr. President, I might call attention to the fact that 30 percent of the farmers of the United States make every year less than \$500 income; and I might supplement that with the statement that during the so-called normal period between 1926 and 1929 the average income per family of five of those engaged in agriculture in the United States was \$593—just a little less than \$50 per month per family of five during this period of so-called normalcy in American agriculture. Sixty-three percent of American farmers make less than \$1,000 a year, 88.8 percent make less than \$2,000 a year, 93.8 percent less than \$2,500 a year, 96 percent less than \$3,000 a year, 98 percent less than \$4,000 a year, 99 percent less than \$5,000 a year, 99.6 percent less than \$6,000 a year, 99.86 percent less than \$8,000 a year, 99.94 percent less than \$10,000 a year, and 99.99 percent less than \$15,000 a year.

Six hundred and fifty thousand farmers, covering 100,000,000 acres of American soil, are operating upon farms too poor to make possible the earning of a decent living. Forty-two percent of the total farm population of this country are tenants. Over 10 percent rent land in addition to that which they own. Forty-seven percent of the farmers own their own land. From 1930 to 1935 there was an increase of more than 200,000 in the number of tenant farmers in the United States.

Mr. President, I have before me some remarks made by the regional director of the Resettlement Administration for the Southeastern States, a portion of which I hope the Senate will indulge me to read, because it gives a tragic picture of agricultural conditions in the southeastern part of the United States:

For nearly 2 years—

Says this capable man—

I have served as regional director of the Resettlement Administration in the four Southeastern States of South Carolina, Georgia, Florida, and Alabama, and in my experience have found a confirmation of the statistics that are familiar to students of southern conditions. In discussing the Resettlement's position in the present situation in the South let me add a little more emphasis to the appalling picture presented by these statistics.

I would like to tell you three stories. The first is about a farmer in Alabama whom we found using a cord of wood to evaporate two barrels of molasses, selling the molasses for the price of the cord of wood, and saying he had made a profit on his molasses. The second story is about a man for whom the Resettlement Administration was endeavoring to make a farm plan. He said, "You can't tell me anything about farming. I've ruined three farms already and I know all there is to know about it." These two stories deserve a laugh from any audience. The third story, however, should never get a laugh.

In one of the counties in my region I visited the home of a young farmer named Ryan. Ryan is 29 years of age, has a wife and two daughters, one 8 years and another 1½ years of age. His farm is poorly cultivated and in a bad state of erosion. Last year he was working 18 acres of land that was easily classified as submarginal. He was plowing his neighbor's farm in order to borrow the neighbor's mule to plow his own farm. In other words, he was swapping his time for the mule's time, and my first estimate of Ryan was that it was not a bad swap. In an effort to draw him out I discussed with him farm conditions, crops, and prospects, as well as his ambitions. The 18-month-old daughter, a pretty little girl with clear blue eyes, was crying, and when I asked what she was crying about Ryan said, "She has the thrash." "What is the thrash?" I asked. "I do not know what it is," he said, "but she has sores in her mouth." I then asked, "What do you expect to do with her?" Ryan answered, "I'm going to take her to the 'conjure' doctor." I asked if there were a "conjure" doctor in the neighborhood, and he said, "Yes; there's a Negro one right over yonder." I then asked, "What will the 'conjure' doctor do for your little girl?" and Ryan said, "I don't know what he does; he takes her in a room and locks the door and we can't tell what he does." I asked, "Does he blow in her mouth?" and Ryan said, "Yes; that's what we think he does—blows in her mouth." I asked the 8-year-old girl where she went to school. When she told me I remembered passing that schoolhouse about 5 miles away and that it was in a very dilapidated condition. She said that she walked to and from school, and did not know what grade she was in, as they had no grades in her school. I talked further with Ryan to find out if he had any ambition left, and in the course of the conversation asked him if he would like to own a farm. He said, "Yes; I would like to own this

farm," and, when I pressed him for the reason, he said, "My grandfather made a lot of money out of this farm, and if he could make money out of it I know I can." Ryan said he owed only \$50, which was his "furnish" for the year. I was told that he paid nearly 50 percent carrying charges for it. I was also told that the merchants of that community during the depression were all bankrupt in spite of the 30 to 50 percent interest which they charged.

Mr. President, that is a cruelly pathetic picture of agricultural life in some of the sections of the United States of America. Yet, instead of attacking that problem with all the ability and the genius American statesmanship can summon, we are debating an antilynching bill, when the total toll of lynching last year, I think, was about 11, one of the minor categories of crime, nationally speaking, in the United States.

How many of those little girls in the Ryan families in some of the rural sections of this country died from diseases acquired in that manner of so-called quack medical treatment? How many of those little starved, undernourished bodies developed tuberculosis? How many of those little children grew up into immature mothers, to die, perhaps, in childbirth, or gave birth to malformed and handicapped American citizens?

Talk about the relative importance of things, Mr. President. Why not get the American Government down to the solution of the fundamentals which are challenging the adequacy of the democratic process in American life? Let the humanitarians regard that picture, and see whether the Nation is more concerned in the rehabilitation of that situation or in debating a bill of the sort of that being discussed on the floor of the Senate.

Mr. SMITH. Mr. President, may I ask the Senator a question?

Mr. PEPPER. I gladly yield.

Mr. SMITH. Does the Senator think the families he has mentioned have in them as many voters as this other matter commands? Thereby hangs the tale.

Mr. PEPPER. I would defer to the superior wisdom of the Senator from South Carolina on that question, and I am sure his answer would be correct.

Mr. SMITH. It does not take any wisdom to know what the underlying influence is.

Mr. PEPPER. Another thing, Mr. President, with respect to the farm situation. I have before me a report from the Bureau of Home Economics of the Department of Agriculture, and in this report, referring to a survey which had been made, the following appears:

Some families spend too little for food to buy good diets, however carefully they select their food. All diets were found to be very poor among families which, in 1936, spent less than \$85 per person per year for food. At least 10 percent of the white non-relief families were in this category.

Let the humanitarians remember that our own Department of Agriculture has said that agricultural conditions in this country are such that 10 percent, not of the colored population, because the percentage is far greater among the colored people in that category; not of the relief clientele, because that is grievously deeper in the same category; but 10 percent of the white nonrelief population of the United States, have every day to sit down to tables inadequately laden with food in quantity and ill-constituted in substance, so that their bodies are undernourished from an unsatisfactory diet.

Mr. BORAH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BORAH. The Department of Agriculture has given out what it calls a decent standard of living, and, according to that standard, over 40,000,000 people in the United States are existing on less than a decent standard of living.

Mr. PEPPER. I thank the Senator from Idaho for that very valuable comment.

Further, the same report, concerning what the Senator from Idaho has said, states:

The chances for better diets increase with rising per capita expenditures for foods. At the median spending level (\$130 per person per year), 22 percent of the families had first-rate diets.

Twenty-two percent had first-rate diets.

Thirteen percent, second rate; 49 percent, third rate, or fair diets; and 16 percent, very poor diets.

At a still higher level of expenditure—\$180 per person per year for food—over 60 percent of the families had good or very good diets and less than 5 percent very poor. It is clear, therefore, that quality of diet is associated with level of expenditure for food.

On the tables of the more well-to-do, milk, butter, meat, eggs, green-colored and leafy vegetables, and fruits appear several times as much as on the tables of the poor. Those foods add interest and flavor to meals, and some of them are especially helpful in reinforcing diets where they are most likely to be deficient from the standpoint of good nutrition.

About a quarter of the white nonrelief families in this country are selecting diets that are very good, nutritionally speaking; another fifth, very poor diets. In between are about one-sixth of the families with good diets, and about two-fifths with diets that are fair from the standpoint of nutrition.

These figures indicate to the humanitarians something that remains yet to be done in the United States.

If the question of diet is associated with the question of income, Mr. President, let us look at the statistics of the income of the population of the United States generally. I find that 10 percent of the general population of the country annually make less than \$500. How much is set aside in such a family budget for food of the sort that is necessary adequately and properly to nourish the body? That is less than \$50 a month per family of five for the American family. Let me give the figures of the income of the rest of the general population:

39.8 percent make less than \$1,000 a year.

80 percent make less than \$2,000.

88 percent make less than \$2,500.

91 percent make less than \$3,000.

94 percent make less than \$4,000.

96 percent make less than \$5,000.

97 percent make less than \$6,000.

97.8 percent make less than \$7,000.

98 percent make less than \$8,000.

98.5 percent make less than \$9,000.

98.7 percent make less than \$10,000.

99.2 percent make less than \$15,000.

99.5 percent make less than \$20,000.

99.6 percent make less than \$25,000.

99.7 percent make less than \$30,000.

99.8 percent make less than \$40,000.

99.86 percent make less than \$50,000.

99.95 percent make less than \$100,000.

0.05 percent of our total population make over \$100,000 a year. Yet collectively they make 10.6 percent of the whole national income.

Therefore, if we want something to do, let us take up the subject of monopoly, which the Senator from Idaho for so many years has been valiantly trying to impress upon the consciousness and to inject into the concern of the American Government. Let us, if we have nothing else pressing, be debating that subject here upon this floor, to see if we cannot distribute in a larger way the good things and therefore the purchasing power of the American people.

Mr. President, I do not know what the relief rolls of this country would show now, but I suspect that we would find that there are at least seven or eight million unemployed people, as a minimum, in the United States. I am glad that we are now making a survey of that situation so that we shall have some reliable statistical data about unemployment in this country.

Directly discussing the farm program, the question was asked me yesterday by the Senator from Missouri [Mr. CLARK] what we would be doing here, in view of the fact that the farm bill has not yet come out of the Senate Committee on Agriculture and Forestry. I made the statement that the farm problem was so widespread in its extent, so huge and colossal in its magnitude, that if the American Congress did nothing for the next several years but devote its exclusive attention to the question of agriculture, at the end of that period we would still, in my opinion, find ourselves inadequately having dealt with that very difficult and complex subject.

If I may do so, I should like humbly to suggest that if I were writing a program, as it were, I would suggest that the Senate avail itself of this valuable time to discuss the principles which should be handed to our good Agriculture Committee for the purpose of embodying them into actual and practical legislation; and the principles which I deem to underly any satisfactory solution of the farm problem are these:

In the first place, American markets must be preserved exclusively for American agricultural products. We cannot for long countenance any contrary course, because we make these markets here in America. They are ours by right of nationality and inheritance. They are ours by virtue of the fact that we constitute a united people living under one flag, and all of us sharing a common destiny before the nations of men. Each one of us makes his several and separate contribution to the adequacy of that market, and therefore it should be open for the general good of all who come within the territory of this Nation. Therefore I would first prohibit any agricultural or horticultural commodity coming into the American market unless the American farmer fails to produce enough of that commodity to supply his own home market. That principle I regard as fundamental in making an adequate approach to the solution of the American farm problem.

The next step would be a modification of the first one. If foreign agricultural and horticultural commodities were to be admitted into American markets, they should be only under a quota system that limited the quantity of foreign exports and our imports of that commodity, and then a discretion should be vested in the Department of Agriculture to fix the time in which those commodities could come into our markets, so that our Government could assure our farmers that at no time would those foreign agricultural commodities be competing in American markets with the produce of American farmers.

Having preserved the American market for the American farmer, the next step would be to give the American farmer security in the conduct of his business. Long ago the great Commoner of the Democratic Party referred to the definition of business which gentlemen of the opposing political party had formulated, and in words with which Senators are more familiar even than I, he said that they had made the definition of the businessman too narrow; that the man who goes into the bowels of the earth, or the man who goes out in the morning and toils through the day, or who goes out in the spring and toils through the summer, is as much a businessman as the man who sits on the board of trade and bets on the price of grain. Just so is that little farmer down in Florida as much a businessman as the man who sits in one of the great citadels of trade and to a large degree formulates the course of American political and economic conduct. The duty of the Government, therefore, is to give security to the fundamental economic unit of American life, and that is the farmer.

How can we approach the question of security for the American farmers—because I maintain that if we can make the farmers of America prosperous we shall not have to concern ourselves with legislating to make the laborer prosperous, or the merchant prosperous, or the banker prosperous, or the manufacturer prosperous, because the farmers constitute the basic class of American business life.

Let us approach the question of security for the American farmer. As I intimated yesterday, the first approach must be to give him protection against the hazards of nature. My colleagues, a time will come when any country which does not afford adequate crop insurance to its farming class will be regarded as being as backward as private individuals who do not nowadays carry private insurance on their stores and their homes and their places of business.

If I correctly understand the origin of private insurance, it began a long time ago among some merchants engaged in shipping. Their ships would go forth into foreign seas upon commercial voyages. Some of the ships would yield to the pressure of the tumultuous waves and never come back, and the owner of such a vessel would sustain the great business

loss of that vessel's destruction. Pretty soon the cooperative impulse began to make an appeal to the intelligence of those engaged in that kind of business, and they saw the wisdom of setting aside a little fund which should constitute a sort of a common treasury, out of which the unfortunate owner of a vessel sailing in foreign waters might be recompensed for the loss which he sustained if the vessel were lost; and after a little while so great was found to be the wisdom of the policy of distributing the loss over a large number, that the principle of private insurance came to be incorporated as an essential part of all modern business life. Today the man who does not insure his home or his business is considered a very foolish businessman, and justly so, because the channels of private insurance are available to him for protection against hazards of a very large class.

What about the American farmer, however? Is he concerned with the devastating effect of the hail, or the destructive force of the violent hurricane, or the cruel, withering effect of cold and drought? If he desires to safeguard himself against those hazards, where can he turn for relief? No private agency is adequate to afford him that degree of relief, because it cannot afford to take that quality and that quantity of risk. Therefore, where is relief to be found, if at all? Only under the great power of the National Government can such a relief program finally be found. And so those who would aid agriculture, those who would give security to the American farmer should first devote their energies to making it possible for the American farmer to protect himself against loss from the ordinarily anticipated hazards of Nature.

I referred in a complimentary way to the Senator from Idaho [Mr. POPE], who in the last session gave us a splendid example of what can be done in respect to this matter. The Senate, which gladly cooperated with the Department of Agriculture and with the President in trying to give a greater degree of security to the American farmer, passed a measure providing for a system of crop insurance for the wheat crop. I do not know why the House did not pass it. I should have thought they would eagerly have sought the opportunity to write that piece of legislation on the statute books, because I regard it as a landmark in dealing with the agricultural problem in this country and the world over.

The Department of Agriculture, as I suggested, say that they have not any appropriation to study this question of crop insurance for the American farmer. Let us then give them an appropriation. Let us take over the chief American crops—wheat, corn, cotton, tobacco, potatoes—but let us not stop with those basic crops. Let us take all crops. Let us take the vegetable crops, because those Senators who come from vegetable-producing States know that those crops are subject even to a greater natural hazard than are crops like cotton and corn and perhaps wheat.

I know that in the Everglades of Florida, with which I am familiar, the bean growers have to plant and replant their crops as many as four different times, and I am told that it costs them something like \$25 to \$50 an acre to plant those crops; and when their crop is destroyed by some force of nature for which they are not responsible, you can see that the little farmer is practically driven out of a place in the agricultural sun in America.

The big man can go to the bank and borrow some more money and plant again. Perhaps he even benefits from the fact that his weaker brother falls out of the competition. He can go to the big insurance company, or some other kind of a lending agency, and get an additional loan if he has to plant even three or four times; but how many times can the little fellow who is down at the bottom of the agricultural ladder go to a lending agency and secure a loan?

To the great credit of this body, we passed in the last session a bill to make it possible for crop loans to be made to the little farmer, but in extent not more than \$500. How many times can a bean grower replant a bean crop that cost him \$50 an acre to plant with a gross loan of \$500?

If we want to do something that will advance the security of all classes of American farmers, let us therefore formulate a plan whereby the whole country shall give guaranty

against loss to the various segments of it when these natural hazards come to the various sections of the country. We know that in time—in the long run—they are coming to the various sections. No portions of the country in which any of us live are so perfect in their climate or so perfect in their natural bounty that they do not experience these hardships from Nature's occasionally unfriendly hand.

It may be the fruit crop of Florida which will suffer frost one season and the next season it may be the crop of California. Of course, California profits when our production is small, and, of course, we profit when California and Texas are out of the market. But why, in the general good, could we not make a common cause of the matter and all of us come, in a measure, to our brother's aid, so that there shall be a greater degree of dependability for all of us and a greater prosperity for those who incidentally profit by the farmer's stability.

I say, then, let us formulate a plan of crop insurance which shall protect not only the basic crops but every single substantial crop in the whole gamut of American agriculture. We can do that. The loss would certainly be less than it now is; it could be so distributed that nobody would suffer very much in the amount of the premium he would have to pay, and the loss would not fall altogether upon the shoulders of the single individual or upon a few farmers in any particular unfortunate section. I should say, therefore, that the third step in approaching an adequate solution of the farm problem would be the question of providing an adequate crop-insurance program that would be available to every single substantial American agricultural and horticultural crop. If we should have perfected a plan of that sort, we should have guaranteed the American market for the American producer; we should have given assurance of protection to the American farmer against the hazards of Nature.

The next step would naturally be to give him security against the fluctuations of the American market. If the farmer braves the hazards of Nature and autumn comes and his harvest is ready for a good yield and he expects access soon to the great markets of his country, his hopes rise high in anticipation of what he is about to enjoy. He sees the possibility, perhaps, of having a better home, giving his children a college education, keeping his children that are appropriate to that in the public schools, purchasing from one of the great industrial centers an automobile or a sewing machine or some other kind of equipment or machinery for the home or the farm which will make more adequate his modern American life. He contemplates, perhaps, a little trip that will give the bus lines and railroads more passengers for using their transportation services.

So all through the many ramifications of our economic structure go the anticipated dollars that the farmer with a good harvest is about to spend.

Then what happens? Just as he has his crop in the warehouse, just as a farmer down in Florida gets ready with his 25 bales of cotton or his 10 bales of cotton or his 3 little bales of cotton to go to market and realize those hopes and aspirations, there comes into his ears the wail of his neighbor farmers that they, too, have had the good fortune to produce bumper crops, and all of them are the victims of a drop in the price that makes their crops not yield anything, even if they produce them. In other words, if the farmer wins the gamble with Nature, then he is at the mercy of the market; and when he is at the mercy of the market he is, if there is good production, the victim of a glutted market. In other words, if his crop is saved from destruction by natural forces, and he has a good harvest, that almost inevitably dooms him to financial loss by virtue of the fact that there is a glutted market for the produce which he has given to the country.

This year we have more than 18,000,000 bales of cotton from the farms of America engaged in cotton production, and a home consumption power of about 11,000,000 bales. What are we going to do with those six or seven million surplus bales of cotton? The price has dropped from 12 cents or 13 cents, before that crop prospectus came out, down to 7 cents or 8 cents. Can the American farmer stand that

drop in the price of his basic commodity and still be a formidable unit in the purchasing power of the United States?

No wonder the farmers, therefore, quit buying when they lost a prospective 5 or 6 cents a pound on every bale of their cotton; no wonder they went to the merchant and told him they were not going to be able, perhaps, to pay him back for the loans the merchant had advanced him to make that crop. No wonder the merchants became concerned and requested the wholesalers to cancel their contracts for so many bolts of cloth and so many bags of flour and so many sacks of sugar and so many suites of furniture and so many radios and so many automobiles and so many of the other things that come from the industrial section of this country.

When the retailer said that to the wholesaler, no wonder the wholesaler ran to cover and tried to protect himself against the manufacturer; and no wonder the manufacturer began to put on the brakes and to cut down the number of his employees and to cancel the orders for raw materials which he had made. When the manufacturer saw himself in that plight, no wonder the value of his stocks went down, the stocks that represented the corporate entity of the company which manufactured those commodities; no wonder people thought they were worth less, perhaps, than they were before when all these orders were in prospect of being filled. So I think we can trace back the whole economic maladjustment that caused the loss of \$30,000,000,000 in the American stock markets in the last few weeks to the uncertainty and maladjustment of agriculture in the United States.

So we are faced with an opportunity to approach the problem of giving the farmer greater security in the American market. Well, how can we do that? I do not know the answer; I do not suppose anybody knows the answer; at least, nobody seems to be coming bravely forward with an adequate answer. It is, therefore, something which should concern all of us, in the hope that by joint counsel and by earnest consideration we may find the answer.

I have an opinion about the subject, and, in a humble way, I might present that opinion. I should say that the ways to give security to the American farmer against the fluctuations of his market are three: First, a system of crop control which will prevent the accumulation of unreasonable crop surpluses in the United States.

I would make that plan of crop control such that perhaps two-thirds of an agricultural group would be able to invoke the benefits of that plan; and when they did invoke those benefits, then I would make that plan mandatory upon all engaged in that industry, and then I would see to it that the plan was enforced. But in working out the details of that plan of crop control I would be very careful about one thing; I would be very careful that the benefits of that program were provided for the little man in American agriculture. I mean by that that the first consideration for protection should go to the man who is actually a dirt farmer, who lives on a farm, and who makes his living out of a farm. If I had to make an allocation of acreage as between the dirt farmers, living on American farms and making their living off of American farms, and the great corporations that go into farming in my State, I would give the first consideration to the dirt farmers, because, Mr. President, if the time comes when the frontier of social progress in America has been so passed, when the congestion of this country has become so great, when the economic maladjustment of this Nation has become so conspicuous and so colossal that a man who dwells upon an American farm, whose family lives there with him around his sacred hearthstone, whose sons and daughters are to go forth as the sinew of American life—I say if the time comes in this country when that man cannot by frugality and thrift and reasonable intelligence and earnest effort make a living off an American farm, then the security of America has become very seriously and dangerously jeopardized; and then will come the time when that man rooted to the soil, that man who at heart is a conservative, that man who comes of an ancestry, perhaps, which shed its blood in the American

Revolution and speaks the English language of his country with a degree of purity, perhaps, which is not shared by any other segment of our people—I say when that product of American soil is unable to make a living in his own country, then even he will listen to the blatant appeals of the quacks and the would-be dictators that would destroy the fundamental structure of American life.

So, in the study of the agricultural problem the first step in giving security to the American farmer should be a just and fair system of crop control.

The second step should be to make it the responsibility of the American Government to dispose of and to distribute that not unreasonable surplus which the American farmers under such a system of crop control would have produced. That surplus can be disposed of by the National Government in at least one of three ways, and no doubt there are many others. It, of course, can be disposed of abroad; it, of course, can be given to the indigent people of this country; and then, as the Secretary of Agriculture has wisely suggested, it can be stored away in some warehouse of an appropriate sort to stand as a reserve against the inadequate production of the lean years, so that American citizens shall forever be assured of an adequate food supply for their needs.

I do not know that we have learned a lot since the days of Joseph long ago. Senators will remember he had a dream and was told there would be 7 years of plenty and 7 lean years, and how he took advantage of the wise advice given by that dream and in the years of plenty laid by in store for the lean years yet to come, and how, as the result of that wisdom, people came from all parts of that section of the world to eat the corn of Egypt which had been stored in the granaries and warehouses of Joseph as reserve forces against the hazards of the lean years.

We can develop new kinds of preserving processes—for instance, the freezing process. Those of us who are interested in fruits and vegetables are anxious to see the Government give its attention to that situation, because there will come a time when it will be possible for our splendid oranges and grapefruit and our vegetables in Florida to be put into a freezing process and to be kept as long as the purchaser wants to keep them, and then when he desires to use them he can remove them from that process and find fresh vegetables or fruit upon his table at any season of the year. The Government can well concern itself with a program of that kind and give that increased security to the American farmer.

Mr. NORRIS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Florida yield to the Senator from Nebraska?

Mr. PEPPER. I am glad to yield.

Mr. NORRIS. I wonder if the Senator is familiar with the effort that is being made now in the Tennessee Valley by the T. V. A., in conjunction with State officials, to bring about the very thing the Senator is now discussing, by which they are experimenting with different methods of freezing fruits and vegetables that will keep them indefinitely, by the use of cheap electricity which they are able to furnish to the people of that community.

Mr. PEPPER. That is where I got the idea, and I want to pay eternal compliment to the genius of the Senator from Nebraska [Mr. NORRIS] which has made that incomparably valuable contribution to American life, both in agriculture and in industry, which is being wrought out right in the Tennessee Valley.

I want to say further to the Senator that whenever he wants to expand that program, when he wants to make that program available to all America, at least as long as I sit behind this desk he will find me voting "yea" when the roll is called.

Apropos of the subject to which the Senator from Nebraska has referred, may I refer to just a few statistics with respect to the present availability of electrical power to the farmers of the country? As of June 30, 1937, there were 1,138,335 electrified farms in the United States, according to the statistics which I have. This is 16.8 percent of the total num-

ber of farms as estimated by the Department of Agriculture—16.8 percent only of all the American farms, in spite of what has been achieved in the last 4 years in that direction. How challenging is that problem to us, as the President has suggested, to make possible regional planning boards so the like of the Tennessee Valley Authority may perhaps be set up in other sections of the country.

Mr. President, that is the reason why in the last few years the Senator from Nebraska, as much as his heart goes out no doubt for the Negro who is lynched, as much as our hearts go out for the Negro who is lynched, as they no doubt do for any other man who is the victim of lawlessness and unlawful conduct on the part of the people, has set his eye singly to some of the fundamentals in American life. I say thank God that a few men have had the vision to see, as Carlisle said Mirabeau could see because he had an eye.

That is what I am talking about. There is so much to be done. Everyone of these hours is so precious to America that I want us to put first things first and devote our energies to substantial accomplishment, because, as little as we are capable of solving the whole problem, there is so much we can do if we will really put our heads and hearts into the problem.

Since July 1, 1937, the estimate of the number of farms electrified varied from 50,000 to 200,000. Even if we take the bottom estimate, since July 1, 1937, just this year, that great program has yielded that incomparable benefit to 50,000 American homes. What does that mean to the American housewife? It means she can have an electric iron, that she can have an electric washing machine, that she can have an electric stove.

I grew up on a farm and I know the washtub; I know the old coal iron that sat in the fireplace. I know the rub board, and I know the paddle with which they tried to beat the dirt out of the clothes. I know the old wood stove that the American housewife stands behind while she personally cooks food for farm hands in the heat of the summer, as well as in the cold of winter. I know that the American housewife in 50,000 homes, just since July 1 of this year—in at least that many, if not perhaps in 200,000 homes—has had the burden of toil lifted from her back because there was genius and statesmanship and vision and honesty of purpose in somebody in the American Senate. No wonder our great President last year said to the Nation it should remember what Nebraska in Senator NORRIS had contributed to the genius of American statesmanship.

Think about the farmer who needs the electric energy that these facilities make available to the farm. Think about the electric light—because I also remember the paper that we dipped in wax and used for a lighter when perhaps we did not even have matches. I know the little smoking lamp by which many have tried to get the rudiments of an education. I know what even the electric light means to the spirit as well as the comfort of the American home. Yet we see here that perhaps 200,000 homes since July 1, 1937, have come to enjoy that benefit for the first time.

I said the electric light. Not only that, but what about the radio? When the President addresses the country, when some of the great inspirational addresses go out over the air, when some of the great music of the country and the world come out through the ether to delight and to cultivate the American heart and the American soul, how many of the farm homes of this Nation do these cultural forces reach? When the great orchestras and the great operas, through the marvelous instrumentality of the radio, are available to the various men, women, and children of America, how many of the farm people, 30 percent of whom make less than \$500 a year and have no electrical energy available at their homes, are eligible to enjoy the benefits of these educational and cultural influences in American life?

Yet we talk about wanting to have a sound public opinion, about the stable backlog of statesmanship in the people who are the source of our authority. We talk about wanting to edify the American mind and to sensitize the American conscience to an awareness of the beautiful things of life. We speak about the renaissance of culture here in America, but

what are we doing about it here in the United States Senate? What is the American Congress contributing toward lifting these standards of American ethical life?

So I say we have not seriously attacked the problem. There are just a few of us, it seems, who have done so; and I do not include myself in that number. There are just a few NORRISES. In another category I include with equal compliment the Senator from New York [Mr. WAGNER], because no man in this body has more conscientiously tried to advance the cause of humanitarianism than has the Senator from New York. But, Senators, I cannot help but believe that this is one instance when my good friend and my admired friend has placed emphasis upon the wrong phase of humanitarianism. I think he has selected for his great efforts and his great energy, and for the satisfaction of his great heart, an issue which should not have been the subject of his endeavor at this time, when so many more pressing matters are knocking at the door of Congress. And so the liberal has to make a choice, Mr. President, as to what he shall spend his energy on. You cannot dissipate your energy over a great field of effort and accomplish a great deal in any one particular direction.

Then I am very much concerned because I do not want the public to get the wrong idea about what liberalism means in the United States Congress, for I should like to include myself in that category. I should like to be able to go back and look into the faces of those boys upon a little farm in Alabama with whom I grew up, and to say, "As it lay within my ability, and certainly within my heart, I have tried to do that which was best for the whole number of the American people, and I have not forgotten you here upon this little farm." I should like to have our conduct so define the philosophy of liberalism that nobody should have misunderstanding about it. I should like it to stand the world over for this simple principle:

"I see tragic conditions. I see imperative demands. I want to do, as lies within my ability, all I can in an honest way to improve those conditions; and I want my actions to be subject to the scrutiny of the principle of reasonableness." I should like everybody to understand that that was the tenet of American liberalism, and I should not like them to say that we had placed upon any sphere of need more emphasis than that sphere deserved in the way of American time and attention.

So, Mr. President, with respect to the farm situation, crop control, and responsibility on the part of the Government for the disposition and distribution of a not unreasonable surplus.

The third and last point in the program would be this: Let the Government peg the price of the farmer's commodity at a point which would yield him a fair return on his labor and his investment.

What do I mean by that? I mean but the extension of a principle which is already recognized, not only in our political philosophy but in our legal philosophy. Away back in the history of our law our legal concepts began to embrace something that was so intimately connected with the public welfare, so inextricably entwined with the public weal, that it came to be recognized as something affected with a public interest. That concept made it possible for the law to recognize the power of the social will, acting in response to the social conscience, to regulate that thing affected with a public interest which later came to be called a public utility. Therefore we began to see the great transportation agencies, the ferries, the electric-light plants that served cities and States, and various other agencies which were intimately connected with the public welfare, recognized as coming within the scope of a peculiar category; and then we saw, admittedly, the power of the Government exercised for the purpose of giving the public the greatest possible enjoyment of those facilities, and of protecting those facilities in the rendition of the greatest possible service to the public.

So we had on the one hand the governmental power to regulate rates—rates that a railroad may charge, rates that a transportation carrier by motor vehicle may charge, rates that a telephone or a telegraph system may charge—and then, on the other hand, we saw the governmental hand ex-

tended to assure those agencies devoted to the public welfare, affected with a public interest, recognized as a public utility, a fair return on their investment.

So there were the two situations, each the complement of the other. "You are subject to an obligation to serve the public. We will give you security so that that service may be rendered."

Mr. President, in the early days that legal concept extended only to certain public facilities like ferries, and later turnpikes, and later railroads, and later telegraph lines and telephone lines, and later bus lines, and later radio communication devices; and now the Senator from Nevada [Mr. McCARRAN] is telling us that we are also going to put in the same category aviation; and there are numerous others that are knocking at the congressional door. So the concept of what is affected with a public interest has been a constantly enlarging concept. It has extended from one category to numerous others; and just as the law advances by analogy, so have various facilities of that sort been brought within the scope of the public regulatory power.

Mr. President, what was the basis of that legal concept? Obviously, the intimacy of the connection between that agency and the public welfare. Does anyone deny that? Does any court decision deny that? If that principle is correct, does not the same principle apply to American agriculture? Is not American agriculture so intimately connected with American welfare, so inextricably interwoven with the American public weal, that it becomes necessary, first, for agriculture to be dealt with from the standpoint of a national perspective, and, secondly, that agriculture be so dealt with that it shall render an imperative American service, and at the same time receive from America the protection which will secure the dependable rendition of that imperative service?

Mr. President, it is not a new thing for that principle to be spoken of in political philosophy. What about the American tariff structure? What was the basis of the American tariff structure except for the purpose of stimulating American industry? And what, for generations, has the American Government done? Why, due to the American Government's belief that the maintenance of American industry was necessary to American public welfare, we have exacted a toll from the American consumers to pay for the industrial prosperity which has been enjoyed in this country; and I am glad to say that by this Congress, acting under the leadership of our great President, in 1935 for the first time the broader application of the principle was recognized so that at least by one of the sections of the Agricultural Adjustment Act, a given percentage—I believe 30 percent—of the revenues of the American tariff was set aside in a fund for the aid of American agriculture; but 70 percent was allotted for American industry, and 30 percent only since 1935 for American agriculture.

It became necessary, in the evolution of the American law, for the courts to recognize a time when additional public utilities should be subject to regulation. Just a little while ago the United States Supreme Court balanced very delicately in its judicial mind the question of the further extension of these categories. Down in the State of Oklahoma they had cotton gins. Certainly anyone would say that the right to maintain a cotton gin is a necessary incident of citizenship, and a necessary incident of private property; that anybody had a right to go out and own a cotton gin any time he desired to do so. Yet the Legislature of the State of Oklahoma passed a law requiring, as a prerequisite to the establishment of a cotton gin, a certificate of convenience and necessity. In other words, you could not inaugurate a cotton gin in the State of Oklahoma until you had satisfied a public agency that there was a public need for that sort of facility.

I am not talking about some foolish theory or fancy which I individually entertain; I am reminding Senators that the United States Supreme Court has decided that it is within the States' power to subject even a cotton gin to the condition prerequisite of a certificate of convenience and necessity,

because the welfare of the people of that State was found to be inextricably interwoven with the adequacy of facilities to gin the cotton produced in that State.

Just imperceptibly across the line the United States Supreme Court laid down a prohibition upon the widening of the extent of that concept, in a case where the same legislature tried to say that before one could inaugurate an ice plant he had to have a certificate of convenience and necessity. The Supreme Court said "No" by a narrow majority, that an ice plant was not so inextricably interwoven with the welfare of that particular State as to justify public regulation of that agency and publicly fixed prices for the service that agency rendered.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. PEPPER. I yield.

Mr. NORRIS. In connection with the case the Senator mentions, I wonder if he is familiar with the dissenting opinion rendered by Mr. Justice Brandeis. Would not the Senator include that dissenting opinion in his remarks?

Mr. PEPPER. I thank the Senator from Nebraska, because momentous as have been the dissenting opinions of the United States Supreme Court, so, in my opinion, will that dissenting opinion also be remembered in American jurisprudence. I honor the service of Mr. Justice Brandeis. I honor what he has contributed not only to American jurisprudence but to a betterment of American life. I honor the magnitude of his perspective. I honor his courage.

Senators will recall the fight that was made against his confirmation when his name came to the floor of the Senate. Senators will remember how he was castigated as anathema under the name of "radical." Unfortunately there are some people who castigate by definitions only and by names only, without differentiating the good from the bad. That other great President, Woodrow Wilson, who also had perspective, could also see down the lane of years what that great mind and that great spirit could do upon the American Bench for the American people. How well has Mr. Justice Brandeis' career vindicated the confidence reposed in him: In the case to which I have referred, after tremendous research, embodied in his opinion, he challenged even the restraint that was laid down upon the expanse of that concept by the majority of the Court in that particular case.

In other cases which have come before the Court the view of Justice Brandeis, and others of his attitude of mind, is gradually coming into a greater recognition, and we are coming to the imperative recognition of the fact that there is no longer a State of Florida which, even with its beautiful geographical structure has a degree of isolation, can actually be isolated in American economy. Florida and Maine, Florida and Washington, Florida and Michigan, and Florida and every other State in the American Union, are inextricably interwoven in their destinies; they go down together and they go up together.

We hear talk about agriculture not being a subject of national concern. What is the American farmer in Florida going to do when the market for his product is glutted with similar commodities from other States? How is the State of Florida going to solve that problem?

A few days ago in my State my colleague and one of the Representatives and I were invited by a delegation of tobacco growers to one of their public meetings. Assembled in that meeting were representatives of all the tobacco-producing counties in Florida. Mind you, we did not summon them there, as those who talk in these times about a governmental dictatorship would have you believe; those tobacco producers invited us there. We did not say to them, "Hereafter you shall be minions of the Federal power; you shall be obeisant to the exercise of the Federal will." They passed a resolution unanimously directing us, as their public servants, to come back to the Senate and to the House of Representatives and plead with our colleagues to give them crop control dealt with in a national way, because they readily admitted that Florida could not produce a reasonable quantity of tobacco and expect the market to be glutted to a lesser degree and

profit by it, because in all probability Georgia, South Carolina, North Carolina, and Virginia would perhaps take advantage of the shrinkage of our production to increase their own yield in the hope that they might enjoy a better profit.

Agriculture has become a national problem, to be dealt with only in a national way, because it is the national power only which can reach to the remote corners of this country and give both aid and protection to all engaged in agricultural production.

I am saying, therefore, Mr. President, that the idea of aiding agriculture and making it an agency which is so affected with the public weal that it must be dealt with by the Government, acting for the public, is no new concept, either in the realm of jurisprudence or in the arena of politics.

Our industrial friends have set us a good example, because for years the farmers and the consumers of the United States have paid for the establishment and the maintenance of what at one time were called the "infant industries" of the United States. If the United States Steel Corporation, if the great automobile manufacturing plants, if the great machinery manufacturing enterprises, and innumerable others are infant industries, I want to know how big giants grow in the industrial life of the United States. Yet we have sat by, generation after generation, and accepted the principle of the tariff as a necessary incident of the industrial life of this country.

I am interested a lot of times to hear even some Senators—and I submit the suggestion humbly—contrast, as they like to contrast it, the philosophy of what is called the New Deal with what they like to call the pristine philosophy of Thomas Jefferson in the way of democracy. What was it that Thomas Jefferson was trying to do in the enunciation of his democratic principles? I think that what he meant was that he wanted American agriculture to continue to be self-supporting and continue to be secure against excessive encroachments of any other section or phase of our national life. I think he saw farmers who were self-sustained upon their broad acres. They even manufactured a great many of the things that were necessary for their comfort and their care, and Thomas Jefferson, with his far-seeing eye, knew that if we ever started to building up a great industrial section of this country, if we ever started building up a great money power, it would be only a question of time before that industrial and financial power should, like a great monster, almost devour American agriculture. And how well has history vindicated the fears which Thomas Jefferson in that early day entertained.

It has come to pass that a few industrialists, only .05 percent of whom make more than \$100,000 a year each, dominate the United States and its economic and political life. So just exactly what Thomas Jefferson visualized has happened. Industry has come to be the dominant force in American life. Industrialists have come to dictate, through a few of their ambitious heads, the course of American Government, even, and supine agriculture lifts its hands in plaintive wail to them seeking some semblance of relief at their hands.

In 1933 there came into power in this country a political party and a government that was a true Jeffersonian democracy, if I interpret "democracy" correctly, because what that government, beginning in 1933, has tried to do is to protect the farmer and to protect the wage earner in the same way that he was protected by natural conditions in the time of Thomas Jefferson. In other words, a weak government, thought Thomas Jefferson, was for the best interests of the great masses of Americans. Why? Because a strong government would build up an industrial and a money power which might perhaps engulf in its ambitiousness, sometimes in its avarice and greed, the lesser powers in this country. Therefore he said, "Let the government be weak," or, as he put it, "That government is best which governs least." But now I hear Democrats who pride themselves on wearing what they call the robes of Jeffersonian democracy crying out against the government that would break the strangle hold of the American money power and the American industrial

power upon the agriculturist and upon the wage earner of America and upon the little-business man of America, and saying that we, who would like to break that strangle hold, favor some kind of a dictatorship. I say, Mr. President, that the government which itself must be very strong to break that power is the government that is truly Jeffersonian in its democracy, because anyone who stands idly by and sees the strong man destroy the little child, or oppress the woman inferior in her physical strength, is not, in my opinion, a very worthy, meritorious exponent of liberty and security.

Then we have precedents, both in the law and in political philosophy, for the extension of the concept of what is affected by the public interest to American agriculture, because everybody nowadays is aware of the fact that the welfare of American agriculture is necessary to the prosperity of the United States.

The last point in the program would be for the Government to peg the price of farm commodities at a point which would yield the American farmer a fair return on his labor and his investment. If that is done, Mr. President, we shall have made some substantial beginning upon the problem of American agriculture.

Then the program comes down to this, in summary:

First, the American market for the American agricultural producer, the incident of which will be that no agricultural commodity shall be permitted to come into this country from abroad in any event unless we fail to produce here enough for home consumption; or, in the alternative, in any case except under the ban of a quota administered by the Department of Agriculture which shall say that at no time shall one of these imports conflict in American markets with American agricultural production. Then truly shall we have the American market for the American farmer.

The next step is a system of crop control, administered by the National Government, which shall prevent the accumulation of an unreasonable surplus. As an incident of that program, primary acreage allotment and award to the actual dirt farmer.

The next category is the Government taking the responsibility for the disposition and distribution of that not unreasonable surplus.

The last is the Government pegging the price of American farm commodities at a point which will yield a fair return to the American farmer.

Mr. President, are those the points that the Committee on Agriculture and Forestry of the Senate are considering in their committee room? If those are just principles, would we not make some progress by the Senate devoting itself to a discussion of them, coming to whatever are the right conclusions, and then, with those principles in mind, instructing its committee to go out and frame the technique of legislation to a conformity with those general principles? Could we not begin at least a preliminary discussion of the subject here upon the Senate floor, without waiting perhaps until Monday, or until the time when the Committee on Agriculture and Forestry is ready to report, because all of us know that it takes about a month for any farm program to be set up for administrative purposes? If we find ourselves with a bill here on the floor, we begin the debate of it; and if we continue that debate for any appreciable time, we shall find that in many farm communities the seeds are already in the ground; and if they are in the ground, then what are we faced with as an alternative? We are not going out any more, I hope, to plow up cotton, or corn, or wheat, or any other agricultural commodity. I hope we are not going to kill any more little pigs unless we are going to kill them and distribute their meat free to the indigent population of this country, to those who hardly ever see a piece of ham, or a piece of bacon, or food of that substantial sort.

We could be discussing that problem instead of waiting until the bill comes here and then starting a discussion which will carry us so far into the next regular session that it will be too late to do anything effectively about the program; and then another year will have passed, another Congress will have convened, and another session will have elapsed, and the

Ryan family down in Alabama will still be making the cord of wood and swapping it for molasses, or making molasses and swapping it for the cord of wood; the Ryan family will still be swapping its services for the loan of a mule from a neighbor, and will still be depending upon the "conjure" doctor to protect its little child against disease.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Idaho?

Mr. PEPPER. I yield.

Mr. BORAH. Mr. President, I should like to ask the Senator his view as to what we are going to do with the surplus which the farmer is producing in this country? We must take care of the surplus some way, but what are we going to do with it? How are we going to use it? I am led to ask that question by what the Senator has just said about using this food for the purpose of taking care of the indigent, and so forth. Does the Senator think that we can establish a system by which to take care of the indigent with the surplus in this country? I am very much in sympathy with the idea.

Mr. PEPPER. Mr. President, I thank the able Senator from Idaho for making the inquiry, because if his mind is agitated about that subject, I know we ought to have an opportunity here for a discussion of that great problem in an effort to arrive at some sensible conclusion. I have suggested in my remarks that there were immediately, to my mind, three possible ways for the disposition and distribution of that surplus. We could sell it abroad, either through a Federal corporation, or else so subsidize the farmer as to permit him to sell it at a price which would get him a market in the world market. That is one possible course.

Another one is that we could distribute it to the indigent people of this country as a part of the functioning of the Surplus Commodities Corporation already in existence, or else make it possible to be purchased by a segment of the population just a little above the indigent, at perhaps a little lower price than the price at which they could purchase it in the market, taking care to safeguard that market for the farmer by not generally making that donation, or diminishing in price the commodity available to those who are able to pay a fair price.

The third possibility, Mr. President, is the storage of a portion of the surplus for later consumption by the public and for later access under the law of supply and demand.

That is the best I have been able to think out as a general principle. I realize that each one of those suggestions has about it many difficulties and, perhaps, serious question. I realize that if we let the Government sell into the foreign market we shall be accused of dumping in the way that we all accused the Russians of doing a little while ago. If we make it possible for the farmer personally to sell the surplus, or to sell it through a cooperative association in the American market at a low price, certain hazards with respect to our internal policy may ensue. I realize that if we start the distribution of food to the indigent of this country it has certain social disadvantages which may affect in a serious way what some like to call the stalwart American character, so that people shall come to rely upon what they get at the relief counter instead of that which they bring forth by their toil from the bowels of the earth. I think, however, the suggestion has merit.

Mr. BORAH. Mr. President, there may be something in the suggestion that distributing food will have a tendency to undermine the initiative and character of the American citizen; but I cannot think of anything that is more calculated to undermine the character of American citizens than that they be reared in indigence and in want of sufficient food. We have in this country at this time between thirty and forty million people who are living on less than the necessaries of life. That is not due to the present condition of affairs solely. In 1929, the great wealth-producing year in this country, some forty or fifty million people were subsisting on the bare necessities of life. Some way must be found, it seems to me, to reach those people who, living in a land of plenty, have not sufficient food for the physical

development of their children and the proper care of their families.

It has been suggested that we are going to consider here the question of an ever-normal granary, for the purpose of preparing against a drought or a period of scant production, and so forth. There have been very few droughts in American history; I do not know how many, but I am told there have been very few, perhaps half a dozen in 150 years that amounted to anything. If we put the food that is produced in a granary and wait for a drought to come along before using it, in the meantime the forty or fifty million people who have a drought every day of the year and every year will be suffering as much as would the farmers who would be the victims of the drought. It seems to me far-fetched to prepare for a drought which may never come, and fail to take care of a condition which is here in our front yard every day of the year.

I have no objection to an ever-normal granary if it is going to be used for the purpose of distributing food to the people who need it, but I am not enthusiastic at all about an ever-normal granary which will be filled for the purpose of use in some drought year which may come.

I am quite in sympathy with the suggestion which the Senator has made that the Senate ought to consider the question whether it is practicable and possible to distribute the food which is produced to those who need it and who never will be able to buy it under the present condition of affairs.

Mr. PEPPER. I thank the Senator from Idaho for his contribution.

Mr. LEWIS. Mr. President, will the able Senator from Florida allow me to ask a question of the Senator from Idaho?

Mr. PEPPER. I yield.

Mr. LEWIS. I should like to ask my able friend from Idaho, in view of his last remark, which was a very pertinent one, to the effect that something should be done for those who may be hungry, those who may be needy, in what manner does my able friend conceive at this moment that we can raise the money to make provision by which we can take care of those whom he has correctly described? Something must be done at once to provide for them.

Mr. BORAH. Mr. President, though I am not an expert on the subject, I have had some investigation made, and I am of the opinion that it will cost the taxpayers of this country less to distribute the food after it is produced than it will to buy the nonproduction of the food by buying off acreage from production. We are proposing to spend a billion dollars for that purpose; we are proposing to spend a billion dollars for the purpose of not producing and for the purpose of permitting acres to lie idle. Would it not be better to spend a billion and a half dollars for the purpose of taking the surplus, instead of not producing it, and sending it to those who actually need it?

Mr. LEWIS. Am I to understand, if the able Senator from Florida will permit a further interpolation, that the Senator from Idaho sees the wisdom or practicality of letting all the land that is cultivable be cultivated and crops to be produced for feeding humanity and the Government supervise the manner by which that production shall be distributed?

Mr. BORAH. Yes. I observed some time ago that the President of the United States made a statement to the effect that if all the people of the United States could enjoy even a decent standard of living it would require some 40,000,000 additional food-producing acres to produce sufficient food to feed the people of the United States. That was a larger figure than I had seen theretofore stated, but it has been estimated by the Brookings Institution, as I recall, that it would require 23,000,000 additional food-producing acres in the United States to feed the American people if they were living upon such a standard as the Agricultural Department has suggested to be a decent standard of living. I am not in favor, Mr. President, of reducing, by a single acre, the production of the United States so long as there are hungry men and women and children in the United States.

Mr. LEWIS. I am sure my able friend will concede with me that something must be done by which we may purchase the supply from those who have raised it. It cannot be confiscated; it cannot be expropriated. Therefore, there must be money from some source to pay those who grow the products and additional money to provide the agency that shall distribute it to the needy. Does not my able friend think so?

Mr. BORAH. Yes; I agree, but the money spent to induce the farmer not to produce I would spend for the purpose of taking his surplus after he produced it. When we pursue a program of nonproduction on the one hand and of leaving the needy uncared for upon the other, the cost cannot be measured in dollars and cents. We are undermining and depleting the American people; we are destroying that which can hardly be estimated in dollars and cents.

Mr. SCHWELLENBACH. Mr. President, will the Senator from Florida yield to me?

Mr. PEPPER. I yield.

Mr. SCHWELLENBACH. I cannot give the figures as to all crops, but, taking that idea and very quickly multiplying some simple figures, I think it would take \$425,000,000 for cotton alone to follow out the suggestion which the Senator from Idaho makes. In other words, we will have at the end of the year something like ten or twelve million bales of cotton which are described as a surplus over and above the amount we can consume, at the low price of \$35 a bale.

Mr. BORAH. Suppose we have that number of bales, what does the Senator think we can do with the 12,000,000 bales? We have got to have money to take care of it.

Mr. SCHWELLENBACH. I will say to the Senator that I did not inject myself into this argument for the purpose of offering a solution for all these problems, but the Senator suggested that we could more cheaply buy the surpluses and distribute them than we could proceed under the proposed plan which the Committee on Agriculture will bring forth. However, in the case of cotton alone it would cost us this year \$425,000,000.

Mr. BORAH. Mr. President, since President Hoover suggested ploughing up every third row of cotton down to the present time we have expended about a billion dollars for the purpose of reducing the production of cotton in order to increase the price of cotton. What has been the result? We have reduced the production of cotton, and now the price of cotton is cheaper than it has ever been, except upon one or two occasions, in the entire history of the country.

The PRESIDING OFFICER. The Chair will suggest that the Senator from Florida has the floor. Does he desire to yield further?

Mr. PEPPER. I am glad to yield.

Mr. LEWIS. I did not desire to take the Senator from Florida from the floor.

Mr. SCHWELLENBACH. I may say to the Senator from Idaho that in that respect the cotton crop this year is larger than it has ever been in the history of the country, amounting to eighteen and a half million bales.

Mr. BORAH. That is because of the vast increase in production per acre.

Mr. SCHWELLENBACH. That is true; yes.

Mr. BORAH. I do not know exactly, without copartnership with the Divine Being, how we are going to control that. So, Mr. President, we are not getting anywhere with the program of reducing production; we are not solving any question; and in the meantime we are letting our people go hungry.

Mr. SCHWELLENBACH. I may suggest to the Senator that, while we did not have any perfect solution of the problem so far as cotton is concerned, there was certainly a much better condition for the cotton farmer in 1935 and in 1936 than there was either before or after the Triple A and the so-called Bankhead bill became effective.

Mr. BORAH. Mr. President, I do not want to take the time of the Senator from Florida; but I do not believe that the increase in the price of cotton during that period was due to the Triple A. That act might have had some effect upon it, but the very fact that we have practically carried out the

Triple A program since the decision of the Supreme Court and the consequences which have followed show that the plan embodied in the Triple A is not a controlling factor.

Mr. SCHWELLENBACH. I cannot agree with the Senator that we "practically" carried it out. We have had the soil-conservation program under which in the last year there has been an increase of 4,000,000 acres devoted to cotton production in this country. I do not say that it was due to that 4,000,000 acres alone that there was an eighteen and one-half million bale crop, but it certainly was, in part, due to the fact that the failure of the other program as the result of the Supreme Court's decision made it necessary for us to provide this rather palliative sort of a system, soil conservation, under which we have under cultivation in cotton 4,000,000 more acres this year than we had last year.

Mr. BORAH. Perhaps we cannot go into a detailed discussion of this matter now, but, Mr. President, I cannot reconcile myself to the thought that the proper solution of the farm problem lies in the reduction of production in this country when we really have not sufficient food to take care of our people upon any reasonable standard of living. There must be some way more practicable and certainly more humane to take care of this surplus food, such as distribution, than that of destroying the food. If we had now in this country sufficient to take care of our people, if they were eating what they ought to eat, wearing what they ought to wear, were living according to a decent standard of living, and were being taken care of by the present production, there would be a very powerful argument in favor of stopping production, but so long as we have, as the President has said, one-third of the people of the United States in a state of need and of want, we certainly are not on the right road when we are reducing the quantity for which they are nightly praying and which they need in order that they may take care of their children and of their families.

Mr. OVERTON. Mr. President, will the Senator from Florida yield to enable me to ask the Senator from Idaho a question?

Mr. PEPPER. Certainly.

Mr. OVERTON. In reference to cotton we certainly produce much more cotton than is required continentally in the United States. What should we do with that surplus? Would the Senator from Idaho undertake to have it manufactured into cotton cloth and distributed to the needy as a bonus on the part of the Government?

Mr. BORAH. I would certainly prefer to do that rather than destroy it while they are needy.

Mr. OVERTON. Suppose we have 10,000,000 bales of surplus cotton today at \$35 a bale. We have \$350,000,000 for the purchase price of the raw cotton alone. The Government would be out \$350,000,000 for the surplus cotton and then would have to bear the expense of manufacturing the cotton into cloth and distributing it among the needy. In the meantime what becomes of the market for cotton? The Government would take all the surplus cotton over and manufacture it and distribute it. But in the meantime what becomes of the market for cotton?

Mr. BORAH. What becomes of the market while the foreign production of cotton is increasing at the rate it is now—10,000,000 bales since we began to impose reduction? We are giving up the market now. How much are the 10,000,000 bales worth which we are now giving to foreign producers?

Mr. OVERTON. That may be very true. It is a matter of controversy as to whether the agricultural program of the United States has caused an increase of production in foreign lands. But I do not know that we meet the situation, so far as the cotton producer is concerned, by having the Government step in and buy the surplus production of the United States and manufacture it into cloth and distribute that cloth among the needy.

Mr. BORAH. What is the Senator's plan for taking care of the surplus?

Mr. OVERTON. I think there ought to be a curtailment of production. I think we produce too much cotton. It is a

question of income so far as the farmer is concerned. I am interested in the farmer. The farmer gets a better income with less production because he gets a better price.

Mr. BORAH. Experience proves he does not get a better income, and, finally, the farmer has lost entirely his foreign market for cotton. Is the Senator in favor of reducing the production of cotton in this country to the limitation of what is necessary for our consumption?

Mr. OVERTON. I am not quite so sure that a restriction of production has caused us to lose the foreign markets. There has never been a time that we did not have plenty of American cotton to supply the foreign market. We have always had a surplus.

Mr. BORAH. It is a notorious fact that immediately upon our program of reduction being announced, foreign governments did, by reason of that fact, encourage the production of cotton in their countries. I think it is pretty conclusively shown that increased production abroad is due to our decreased production at home. It would inevitably follow that that would be true.

But I do not want to reduce the American farmer to the level of a Chinese gardener and limit him in his production to American consumption, especially when American consumption is falling year by year. We will never restore the American farmer until we restore the American market, and we will never restore the American market so long as there is an increasing number of people in the United States who cannot buy what they need. We are now running the country upon a lower level by reason of the fact that nearly one-third of our people are not getting what they need.

Instead of asking the farmer not to produce when he is not producing more than we need, why not give our attention to the question of distribution in order that our people may have sufficient upon which to live?

Mr. PEPPER. Mr. President, eloquently has this discussion corroborated the point I have humbly been trying to make, that there is inevitably action in store for us if we take up the farm problem and discuss it here in a sensible way of trying to arrive at a solution. I was trying to point out the folly of our having to devote ourselves to the particular bill which is presumed to be under discussion when matters so challenging as that matter are knocking at the door of the American Senate.

The Senator from Idaho [Mr. BORAH] has spoken my views better than I could have spoken them myself. I want to corroborate his statement with this observation, if I may, in response to the query of the Senator from Washington [Mr. SCHWELLENBACH]. He asked, as did the Senator from Louisiana [Mr. OVERTON], where the money is coming from to put into effect such a program as we discuss. I ask, Where is the money coming from that recompenses the farmers for the losses they are now sustaining? Who is paying the bill now? The cotton farmers of the country are paying the bill, which is the difference between 12 cents a pound for cotton they have grown and produced, looking toward a 12-cent market, and the 7 cents a pound they will get for it. The cotton farmers are paying that bill now.

Where did they get the money? They get it out of the impoverishment for which they are paying. It is not a question of a debt somebody would like to incur. It is a question of whether the cotton farmers are going to pay all the bill or whether the rest of the country will help to pay the bill.

There are three funds from which the money might come which the Senator from Idaho had in mind for purchasing this surplus commodity: First, it might come from the funds which the farmers are now losing due to this unfavorable, unsatisfactory agricultural situation—for instance, the difference between 7 cents a pound for 18,000,000 bales of cotton and 12 cents a pound would be a tidy sum in itself.

The second fund could be a part of the money now going to give jobs and to purchase food for relief workers of the country. A diminution of that money could be made, because actually what we are trying to give the relief worker is food and clothing and shelter. If we give him food direct,

we do not have to give as much money as would be otherwise necessary. That may be also a part of the sum the Senator from Idaho had in mind.

The other part would be the sum which was mentioned to be paid the farmer for curtailment of his production.

Put all these funds together, and I dare say we would have a fund sufficient to carry out the worthy objectives which the Senator from Idaho enumerated.

The truth of the business is the Senator from Idaho was putting his finger on the spot. He was suggesting the fact that we yet have not reached down into the rock bottom of this problem which is presenting itself to our Government. What we have done to date has been to a large degree superficial and temporary.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Idaho?

Mr. PEPPER. Gladly.

Mr. BORAH. I suggest in this connection, as I see the benign face of the junior Senator from New York [Mr. WAGNER] turned this way, that it is certainly as reasonable, and no more expensive, to give people food as it is to give them housing. We have entered upon a vast scheme of giving houses, and in those houses I suppose we are to put people who have not sufficient food. There is no reason why the Government should branch out into the question of taking care of the housing problem, unless there is coupled with it the matter of taking care of those who actually need something to eat.

Mr. WAGNER. Mr. President, will the Senator from Florida yield to enable me to reply to the Senator from Idaho?

Mr. PEPPER. Certainly.

Mr. WAGNER. I am sure the Senator from Idaho will do me the justice of conceding that before I was interested in housing I was interested in feeding the people. I was one of the first to introduce measures for properly feeding the hungry.

Mr. BORAH. I do not mean to intimate the Senator was confining himself to the question of housing, but I do mean to intimate the Senator has established a very excellent precedent for those of us who contend we should feed the people also.

Mr. WAGNER. I agree with that 100 percent.

Mr. PEPPER. Mr. President, I am glad to have this public testimonial of the attitude of the junior Senator from New York, which came as no surprise to me, because I have on every possible occasion paid tribute to his humanitarian sentiment. I know he is interested in reaching something like a fundamental cure for the situation with which we are now faced.

Mr. President, the truth of the business is that this temporary recession, which has cost many hundreds of millions of dollars, shows how completely we yet have the problem in front of us. As much as has been done, as much as has been achieved, as much as we have accomplished in the last 4 years, there is a colossal challenge to us from the future. We can well spend our time in what I would like to call something like the Committee of the Whole, with everybody here giving an idea which he may happen to entertain about the farm problem. I think that by putting those factors all together, with perhaps a little curtailment of acreage and a little protection for the farmer, and fairly adequate funds for the distribution of his commodities, we can help both the farmer and the indigent person who does not have enough food in the United States.

Mr. President, making a comparison of the importance of the measure we are now considering with another question or two which presents itself to us, let me make this observation:

The crime of lynching, as inglorious a chapter as it is in American life, has been a steadily diminishing crime.

In the period between 1889 and 1899 there was an average of 187.5 lynchings per year.

From 1900 to 1909 there was an average of 92.5 lynchings per year.

From 1910 to 1919 there was an average of 61.9 lynchings per year.

From 1920 to 1924 there was an average of 46.2 lynchings per year.

From 1925 to 1929 there was an average of 16.8 lynchings per year.

In the year 1931 there were 13 lynchings.

In the year 1932 there were 9 lynchings.

In the year 1933 there were 29 lynchings.

Let me pause there, Mr. President, to remind the Senators that in 1933 we probably reached the pit of the depression, and to remind Senators that statistics show that there is an actual correlation between the number of lynchings and the price of cotton. I repeat that astonishing statement—that statistics show that there is a necessary relation, that history has shown that there is a correlation, between the price of cotton and the number of lynchings. If the Senator from New York [Mr. WAGNER] and the other proponents of this bill will take my word for that statement, is the best way to stop lynching the passage of this bill, which will inflame a great section of the country which feels that righteous indignation should justly be turned toward its resistance? Instead of encroaching by the Federal power upon local governmental functions, would we not better try to raise the price of cotton, and not only prevent lynchings but help the farmers of America to give their children better food, their families more medical care, and to reduce the number of mortalities in American life?

It is very obvious to anyone that when the price of cotton is low the Negro, who is generally the victim of the lynching passion, is more idle than he would be if he were occupied, has less money to spend, and less means with which to gratify his legitimate aspirations; and in a time of severe impoverishment the pinch of hunger and the suffering of nakedness and of little shelter perhaps may drive him to an attitude of mind that will make him commit crimes which do arouse the passions of communities to such an extent that they will take the law in their own hands. But give the Negro a fair wage, give him a fair price for the commodity he produces, send him to school, put decent clothes on him, put him in a decent home, and give him sanitary conditions for his residence, and you will find that Negroes will not commit crimes which result directly in the aroused passion that brings about lynching.

Anybody who lives where lynchings occur knows those statements to be true. So what I am suggesting is, instead of dealing with the little boil on the skin, as it were, which is the symptom of an inner lack of health, let us attack the problem in a substantial way and give a stable economy to the country, and that alone will take care of these other problems that are but symptoms of economic maladjustment.

In 1934 there were 17 lynchings.

In 1935 there were 23 lynchings.

In 1936, as we began to climb out of the depression, there were 10 lynchings.

Up to July 1937 there were five lynchings the country over.

Mr. President, as I have just stated, last year there were 10 lynchings—10 murders, if you please—committed in the United States; crimes no less of passion than those of the Negroes who were the victims of the lynching rage, because in most instances, as, of course, everybody knows, lynching results from some brutal attack of a murderous character, or from a murder actually committed by the colored victim, or else from some attack upon the integrity of womanhood. So, Mr. President, if this bill is enacted, if the South is stigmatized as being incapable of self-government, if its officers are castigated as unwilling to do their duty, and this bill goes on the statute books and succeeds perfectly to the aspirations of its authors, it will save, judging from the statistics of last year, 10 lives. I shall not speak of what the net gain might be, because a great many of the 10 lives lost last year would soon after their demise by lynching have gone the way of all

flesh to another world through the agencies of legitimate law, but I turn over here to some further statistics.

I have in my hand some information as to the principal causes of death in the United States in the year 1934.

The number of deaths from disease of the heart was 303,724.

From cancer, 134,428.

Suppose we had been discussing the antilynching bill here at the last session when that splendid progressive Democrat from Washington [Mr. BONE], was arousing the consciousness of the Senate to eradicate cancer, which we have begun to do by the appropriation of \$1,000,000 a year from the Federal Treasury. Which has saved more lives—an antilynching bill or an anticancer bill?

The number of deaths in the United States since 1934 from cerebral hemorrhages, cerebral embolism, and thrombosis was 108,110.

From nephritis, 106,584.

From accident, 100,977.

From pneumonia, 100,573.

From tuberculosis, 71,609.

Mr. President, what has the Federal Government done to stamp out tuberculosis while we talk about stamping out lynching, which, if it had been done, would have saved 10 lives in all the country last year?

I want to pay a word of tribute to the Federal Government, to the Public Works Administration, to the State of Florida, and to the county commissioners of the several counties of Florida for having established at the beautiful city of Orlando, in Florida, the first tuberculosis hospital that we have had in that State. Up until a little while ago a victim of the white plague would have found himself a derelict upon human charity. Now he goes through the portals of a well-manned and competently operated hospital, even if he has not a dime, because the public generosity and the public heart have made those things available to him. If we had done that the country over, instead of there being 71,000 deaths from tuberculosis in the United States last year, that number might perhaps have been severely diminished. At least the number would have been reduced more than 10, which will be the gross saving, I assume from the statistics of last year, from the antilynching bill.

Mr. President, when it comes to putting first things first, when it comes to the selection of that which should be the objective of a progressive party and a progressive government, when it comes to what should be the beneficiary of the wisdom and the genius of a really intelligent liberalism, which should be the chief concern of this Congress—an antilynching bill or an antituberculosis bill? Has anybody said anything about that? Yet last year more than 71,609 of our fellow citizens died because of that dreadful disease.

Diseases of early infancy caused 54,348 deaths in the United States in the year 1934.

Diabetes, 28,000.

Diarrhea and enteritis, 23,211.

Another fact: In the year 1930, of all ages of persons and from all diseases, there occurred 1,343,356 deaths. Under 1 year of age in that year there were 145,374 deaths. Under 5 years of age there were 195,200 deaths. I wonder if Senators know that 120,000 babies died in the United States last year, when it is estimated that 60,000 of those lives could have been saved if they had had adequate medical care and attention? What is being done by the American Congress to diminish child mortality? Some of these no doubt died with their mothers in childbirth. I wonder if Senators who are the proponents of this measure are aware of the fact that last year in this country 13,000 American mothers died in childbirth, when it is estimated that 9,000 of those lives could have been saved if they had had adequate medical care and attention?

Infant mortality, the citizenry of tomorrow, dying by reason of the neglect and the lack of wisdom and the lack of charity of the citizenry of today; and yet nobody in the American Senate is particularly concerning himself about how to stop those little lives from passing on into the Great

Beyond, instead of coming into lives of usefulness and fruitfulness in the American community.

Mr. President, I could give similar statistics about other years. Just the other day it happened to be my privilege to visit a certain public-health assemblage; and, growing out of the information obtained at that meeting, I am sorry to admit that I found out that in my State 30 percent of the deliveries of children are made by midwives. I claim that in intelligence and general social conditions my State ranks with any State in the American Union. I use my State merely as an example. Lately proper instruction to midwives in my State has been given under the auspices of the W. P. A. Some of this money that was fought for and was obtained from the American Congress for Works Progress Administration purposes went down in my State to instruct the midwives of Florida, with the result that in 1935 mothers' deaths in that State were reduced from 238 to 213.

Mr. President, the lives of more than 10 mothers in the United States were saved because the conscience of the American Government was aroused to a situation of that character. Let us discuss that problem, if we do not have a farm bill ready.

Another thing, the Works Progress Administration in my State has adopted as one of its projects a survey to see what are the availabilities of hospital facilities to the indigent people of that State. In conjunction with the medical profession of the State, we are going to try to find out what happens to an indigent person in that State who does not have hospital facilities available to him.

I was in a county of my State one night not long ago. I sat down with the county officials, and they told me heart-rending stories of how a mother had died in that county because the people raised \$7.60 from the Methodist Church and \$7.50 from the Baptist Church and \$13 on the street, and that sum of money was not enough to provide for a major operation which that woman had to have to save her life. Such incidents, Mr. President, are occurring in the United States a thousand times every day, and if the farm bill is not ready for discussion, let us discuss some kind of a law which, in conjunction with the several States, and with the guidance of the organized medical profession, will make hospital facilities available to the indigent and the medically indigent people of this country. There is plenty to talk about and there is plenty to do instead of wasting our time on something that is not one of the major problems of American public life.

If we cared to do so, there are some other questions with which we might concern ourselves. One of them is the matter of crime. I wonder how many are aware that there have been 700,000 crimes committed every year in this country by persons under 21 years of age. There are 4,300,000 criminals among our fellow citizens in this country.

Mr. President, I have before me here the Washington Post of this morning, and I find this headline:

Two more to go, union told in labor killing. Anonymous call spurs search after Minneapolis leader is slain.

The criminal element is going rampant up and down the length and breadth of this land leaving death and destruction and defiance to law in their wake. Only a little while ago it took the national power, with all its weight, to combat even the single crime of kidnaping. Even kidnaping cost many more than 10 lives last year, and why are we not talking about kidnaping if the farm bill is not ready, and why are we not talking about other criminal activities, and doing something to keep those 4,300,000 criminals from propagating their lives and lineages of crime in this country?

Mr. President, a felony is committed in the United States every 24 seconds. Thirty-six lives are taken every day by homicide. What is lynching but a form of homicide? It is an incident where a group of men, aroused by some great passion, go out and take the life of another person, generally speaking a person who has committed some heinous crime. Was that the only kind of homicide going on in the United States last year? Not at all. There were 36 lives taken

every day by homicide, 1 murder every 40 minutes. What are we doing against the cause of murder generally? I am willing to attack the cause of murder, because that occurs the Nation over. I am willing to attack the question of the preservation of civil liberties the country over. I am willing to make a fair attack upon crime the country over, because it is the problem of the Government to destroy and prevent crime. But I am not willing to take up homicide by a shotgun only and devote all of our time to that question. I am not willing to take up homicide just by the use of a knife and devote all of our time to that question. I am not willing to take up homicide committed against Chinese or Japanese, or just aliens. I am not willing to deal with murder that is committed only in New England, or in the Middle West, or in the South.

If there is the desire that we attack the problem of crime, let us attack the problem of crime. Let us meet it four-square, because God knows we need to meet it in a country where there is a murder every 40 minutes. It may be that the reason why there is a murder every 40 minutes in the United States is that we have not seriously approached and attacked the whole question of crime and the conditions out of which crime ferments. We find that criminal conditions to a very large degree determine the amount of crime, because a great many men yield to the impulse to take something. Their action amounts to robbery, or burglary, or theft of a minor sort, because they do not have those things which they feel in their hearts they can legitimately expect.

Do we not remember in *Les Miserables* something about a man breaking into a window and stealing a loaf of bread, committing a crime because he was hungry, because he could not in the normal economic process of his country get the satisfaction of a loaf of bread in a legitimate way? Let us not only attack the murders by colored men in the South, let us attack murders by all men the country over, and I know we will have a united Congress behind such a resolve.

A little while ago we were talking about the question of expense. It was asked, Where are we to get the money for all these things? I wonder whether we were aware of the fact that crime in the United States last year, according to the estimate of Mr. J. Edgar Hoover, who has done such a remarkable job in the United States, cost the people of the United States \$15,000,000,000. Almost as much money as the New Deal has spent from the day Franklin D. Roosevelt took office to the present. The American people paid last year for crime in the United States, which is the equivalent of \$28,500 every minute, \$41,000,000 every day.

There are at present inmates of county and city prisons to the number of 46,292. There are inmates of State and Federal prisons to the number of 137,997, there are in juvenile delinquency institutions 30,496. So, if we want to approach this thing in a fundamental way, we will take the whole problem of crime, and not any particular crime.

Let us assume just for a moment that we might concern ourselves in our leisure with the question of education. That, in a democracy, is worthy of the consideration and the concern of the Congress.

Mr. KING. Mr. President—

The PRESIDING OFFICER (Mr. RUSSELL in the chair). Does the Senator from Florida yield to the Senator from Utah?

Mr. PEPPER. I yield.

Mr. KING. I have heard a portion of the admirable address of the able Senator from Florida. If I may be permitted to ask him a question, I read in this morning's paper, and doubtless the Senator has read it, of a gangster or a labor assassination up in one of the Northern States. I wonder whether this bill seeks to prevent these gangster crimes and some of these labor assaults and homicides, which are becoming so frequent in the controversies between the C. I. O. and other organizations of labor, which result in assassinations, murders, violation of law, and violation of property. Are we going to deal with those questions by this bill?

Mr. PEPPER. To the contrary, as the Senator will observe by looking at page 7 of the bill, where it provides:

"Lynching" shall not be deemed to include violence occurring between members of groups of lawbreakers such as are commonly designated as gangsters or racketeers, nor violence occurring during the course of picketing or boycotting or any incident in connection with any "labor dispute" as that term is defined and used in the act of March 23, 1932.

I wonder what the attitude of organized labor is toward the bill which is now under consideration?

Mr. KING. Mr. President, will the Senator yield further?

If we are so solicitous to deal with an alleged group of offenses in certain parts of the United States, why should we not deal with the offenses to which I have just referred, and these numerous crimes, murders, assassinations, assaults, sit-down strikes, and so on, which interfere with life and with property? Why do we single out one particular alleged group of offenses, instead of covering the whole field of crime, if the Federal Government has authority to deal with these internal and police affairs of the various States?

Mr. PEPPER. In response to the helpful suggestion of the distinguished Senator from Utah, I think that is the chief weakness and the chief error of the bill and the proposed legislation.

Mr. WAGNER. Mr. President, a good deal has been said about the particular provision to which the Senator from Utah has referred. That exception was put into the bill by the Committee on the Judiciary. I accepted the judgment of the Committee on the Judiciary, as I have heretofore accepted standing committees' amendments to other legislation introduced by me. I understand the committee inserted the amendment because there was already ample law to deal with these criminals. However, so far as I am concerned, I prefer to have the provision referred to eliminated from the bill.

There has been a good deal of talk, more or less irresponsible, on the topic as to who was responsible for inserting that provision. I wanted to clear up that much. So far as I am concerned it may be eliminated. It was inserted after some study by the Judiciary Committee itself, and not by the author of the bill. I am sorry that the joint introducer with me of this legislation is not present, because he could verify what I say. He was the chairman of the subcommittee of the Judiciary Committee which dealt with this legislation.

Mr. PEPPER. Mr. President, I thank the Senator from New York for making that exculpatory statement, so far as he is concerned, because I know that he would not personally want to make an exception of that category.

Mr. KING. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KING. I apologize for interrupting the Senator in his address, but in eliminating the provision to which the able Senator from New York has just adverted, is not the bill in the prior sections, particularly in the first and second sections, susceptible of the construction which I have imputed to it, that it will reach the character of offenses to which I have referred; and if we can deal with one alleged group of offenses in one particular section of the United States, why not deal with other offenses in other parts of the United States?

Mr. PEPPER. The Senator from Utah, as usual, is eminently correct.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Texas.

Mr. CONNALLY. I usually find myself in agreement with the Senator from Florida, but I cannot quite agree with his statement that the Senator from New York has exculpated himself from the exceptions contained in this bill. It is not a question as to who wrote them down in the bill with a pencil. It is a question of who is advocating them at present. The Senator from New York may not have written them down on his typewriter in the privacy of his closet but he is standing on the floor of the Senate asking us to take up and pass the bill with those exceptions in it.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from New York.

Mr. WAGNER. There are some discussions in respect to which I will not make answer on the floor, but I just wanted to say that I did not intend in any way to abandon any provision of this legislation. I have frequently accepted the judgment of other Senators who I think are perhaps better informed than I am; so in connection with this bill I accepted the judgment of the Judiciary Committee that that exception ought to be made, because already there is ample law in the States and national statutes dealing with the subject. I accepted that judgment and was ready to advocate the legislation with the provisions in it which are there as the result of the judgment of the committee.

I see that the Senator from Indiana [Mr. VAN NUYS] is in the Senate Chamber now, and I think perhaps he is somewhat more familiar with the history of this particular provision than I am, and could enlighten the Senate concerning it.

Mr. CONNALLY. Mr. President, will the Senator from Florida yield in order that I may read to the Senate about an inch and a half of a newspaper report?

Mr. PEPPER. I yield.

Mr. CONNALLY. The Senator from New York says there is ample provision already to cover every other crime except the one he is concerned with. I quote from a newspaper article under date of New York, November 15, being an Associated Press dispatch. It is headed:

VIGILANTE DAYS NOW AHEAD FOR BROOKLYN—BUSINESSMEN SET OUT TO ORGANIZE 1,000, ARMED, TO STOP ASSAULTS AND ROBBERIES

NEW YORK, November 15.—The spirit of the old "vigilante days" of San Francisco's Barbary Coast era boiled to the surface in staid old Brooklyn today.

Brooklyn, as I understand, is in New York, or is a part of New York. [Laughter.]

Businessmen—

Not hoodlums—

Businessmen sought to arm themselves and organize a "vigilante committee," 1,000 strong, to end a series of street assaults and robberies.

"Thirty-eight persons already have applied for pistol permits," said Sumner A. Sirtl, president of the Midtown Civic League. "We have had to take this matter into our own hands—to protect our wives"—

Note, he says—

"to protect our wives, our families, and our businesses."

The police, he said, have done the best they could, but that there are too few of them.

That is a condition which is so well provided for that New York must, forsooth, come down South and regulate us, when only nine lynchings occurred in all the United States in 1936. I submit that for the intellectual rumination of the Senator from New York.

Mr. VAN NUYS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Indiana?

Mr. PEPPER. I yield.

Mr. VAN NUYS. I understand that while I was not present on the floor a statement was made by the junior Senator from New York [Mr. WAGNER] with reference to the elimination of the provision in the pending bill relating to gangsters and racketeers. As chairman of the subcommittee of the Committee on the Judiciary, which held repeated hearings on this bill, I want to say, in all due justice to the junior Senator from New York, that he had absolutely nothing whatsoever to do with the inclusion of that provision in the bill under discussion. The arguments came largely from the city of Chicago. I do not desire to trespass at this time upon the time of the Senator from Florida, but it ought to be very palpable that there is quite a material difference between the case of homicide resulting from two gangs with sawed-off shotguns who meet on the streets of the city of New York or the city of Chicago to fight out the question of territorial jurisdiction over gambling or prostitution or liquor permits and a homicide as defined in the bill to have been committed by a mob.

However, I rose simply to say, without trespassing upon the time of the Senator from Florida, that it is entirely satisfactory to me as chairman of the subcommittee having this bill in charge, and as coauthor of the bill, if and when it comes up for final disposition, to have the amendment referred to adopted and this particular provision eliminated from the bill.

Mr. LEWIS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LEWIS. I wish to inform the able Senator from Indiana that the last case of conduct such as referred to by the Senator from Indiana occurred in the esthetic region of New York and in the locality of Brooklyn, not in Chicago.

Mr. CONNALLY. Will the Senator yield?

Mr. PEPPER. I yield.

Mr. CONNALLY. The Senator from Indiana says that the Senator from New York was not responsible for this exemption. Somebody was. I should like to have the Senator be as candid in that respect as he is with respect to the Senator from New York. Somebody wrote this exemption in the bill. Somebody had a purpose; somebody wanted gangsters protected. Somebody did not want to prosecute mobs if they resided in certain geographical sections. Somebody did not want to prosecute mobs if they murdered gangsters in New York and Chicago. What Senator, if the Senator minds telling us, was so devoted to the causes of the gangsters and the racketeers and the lawbreakers and the other unmentionables—whose names I should like to use, but which the rules prohibit me from uttering—as to solemnly exempt their crimes, their misdemeanors, and their villainies from the operation of the law?

Mr. VAN NUYS. Mr. President, will the Senator from Florida further yield?

Mr. PEPPER. I yield to the Senator from Indiana.

Mr. VAN NUYS. I desire to be very frank. I am very sorry that the junior Senator from Illinois [Mr. DIETERICH] is not here at this time. I think it was largely due to the statement of the junior Senator from Illinois [Mr. DIETERICH], who was a member of our subcommittee, who worked hard on this bill, and is in full sympathy with it, that he wanted to eliminate the civil suits against the counties for the beneficiaries of killed gangsters. That was Senator DIETERICH's idea. He intends to speak on this subject, and is in full sympathy with the junior Senator from New York and myself in eliminating this provision entirely, so that the idea may never go out from the halls of the Senate that a single Member is trying to protect gangsters and racketeers, as mentioned in the numerous speeches heretofore made.

Mr. KING. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KING. I wish to ask the Senator from Indiana a question. It was not for the purpose of protecting men of the character that I was just referring to, who assassinated in cold blood some 25 or 30 or 40 helpless victims in the State of Illinois, that it was desired to insert this provision exempting the counties and the State and their officials from prosecutions, was it?

Mr. VAN NUYS. I will say to the Senator from Utah that had I the time now I would discuss the matter fully. I propose to take the time later. I believe we should quit talking about forestalling farm legislation and get down to the merits of this bill and have a vote on it. I want to have it understood here and now that the Senator from New York [Mr. WAGNER] and myself are not obstructing the President's program. We are willing to submit this question to a vote now.

Mr. SMITH. Well, we are not. Then who is obstructing?

Mr. VAN NUYS. Gentlemen like the one who has just spoken are obstructing this program. We are willing to vote on this question today and take up the reorganization bill or the farm bill tomorrow and go straight through with the President's program.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. SMITH. Does the Senator think that we who represent the section which is being held up as illiterate before the eyes of the public are to sit supinely down and let the supposed legislation take the place of a farm bill or any other bill, in order that certain Senators may humiliate the section that through all these years has kept alive the party to which they profess to belong, and when they come into power they attempt to humiliate us purely for political reasons?

Mr. VAN NUYS and Mr. KING rose.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. PEPPER. I wish to conclude my remarks, Mr. President, so that some other Senator may be recognized. However, I yield first to the Senator from Indiana [Mr. VAN NUYS], and then I shall yield to the Senator from Utah [Mr. KING].

Mr. VAN NUYS. There is no desire on my part to bring up a sectional difference here, but I challenge any Member from the Southland to produce any greater record of love and fidelity to the Democratic Party than the Senator from Indiana can show has existed for three generations both on the maternal and paternal side of his family.

Mr. SMITH. And now washing it all out by attempting to humiliate the section that made it possible for the Senator to sit where he is. [Laughter.]

Mr. KING. Mr. President—

Mr. PEPPER. I yield to the Senator from Utah.

Mr. KING. The Senator from Indiana [Mr. VAN NUYS] has alluded to the fact that he wants to take a vote immediately. I ask the Senator if he does not recall that Thad Stevens was anxious to take a vote immediately so as to force through the bill which robbed the South of its honor and its liberty and of possible rehabilitation? I am glad we had men then and I am glad we have men now who are not willing "to vote at once."

Mr. PEPPER. I am sure there is no doubt in anybody's mind as to the purpose of this bill. The country over knows that this bill is aimed at the southeastern part of the United States; the country over knows that it is an effort by sections of the country which have a large colored population to police the internal affairs of States which likewise have a similar population and in which in the past a certain number of lynchings have occurred. We all know that; there is no use to quibble about or to debate that subject. If the Senator from Indiana and the Senator from New York want to bring forth a civil-liberties bill, then they will find, I believe, Senators from the South conscientiously trying to help them do it.

If they want to protect those who are the victims of espionage and of coercion and of brutality who are trying to assert their fair rights as American workmen, they will find the South and the southern Senators gladly anxious to help them in the enterprise; if they want to protect the innocent citizen who is the victim of the gangsters' mob in any of the large cities of this country, they will find the Senators from the South want to help them do it; but, Mr. President, we would not be worthy of the section from which we come, we would not be worthy of the ancestry which gave us birth, we would not be worthy of the soil on which we have been born and nurtured, if we should not resist as much as lies within our power an effort to single us out as the one section of the country incapable of self-government and to castigate us as a section of lawbreakers and of mob bringers-on before the eyes of all the world.

Mr. President, I shall say only that section 4 of article IV of the Federal Constitution guarantees to every State in the Union a republican form of government, the assurance of protection of each State against invasion, and, "on application of the legislature, or of the executive"—when the legislature cannot be convened—"against domestic violence." Those are the only instances in which the Federal power has the right to transgress State lines and to attempt to protect the civil liberties of citizens within State lines, except under the

fourteenth amendment; and by the fourteenth amendment the Negro, the Chinese, the Japanese, the member of any other race are guaranteed by our organic law the equal protection of the law, and they are assured that neither their life nor property can be taken away from them except by due process of law. We are not segregating this class.

They receive the equal protection of the law. If they do not receive it, it is not the fault of the States, but it is the fault of conditions which this proposed law cannot possibly correct.

So we say to Senators, propose a plan of humanitarianism that is universal in its reach, and we of the South will be with you, at least, I certainly will; propose a plan to improve economic conditions in the South, so that the crime of lynching will be eradicated by its own nature instead of by the provisions of the proposed law, and I will certainly be with you; propose a plan that will give the South fair freight rates and that will make it possible for us to have a sound economy in the South, and we will certainly be with you; propose a plan that will keep northern industrialists from exploiting both our resources and our labor upon the pretense that they are giving us a great bounty, and we will be with you; propose a plan that will make it possible for us more effectively to enforce the law both at home, in the South, and in other sections, and I will certainly be with you; but propose a plan, Mr. President, which shall hold up to castigation the Southland that we love and we shall oppose it with every ounce of energy and every bit of conscientiousness which reposes in our bodies. I hope, therefore, that the regard of the Senate for this measure will dissuade my good friend from New York, whom I reverence and respect, from insisting at this time or injecting into the troubled scene of American life of today this controversial issue that has so deeply divided our opinion and so strongly restrained us from doing the great things which we ought to do in order to live up to the confidence and faith which our President and the great American people have in us and because of which we were called here in this special session of Congress.

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

#### PREVENTION OF AND PUNISHMENT FOR LYNCHING

The Senate resumed consideration of the motion of Mr. WAGNER to proceed to the consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

Mr. BILBO. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. RUSSELL in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Pittman
Andrews	Copeland	King	Pope
Ashurst	Davis	La Follette	Radcliffe
Austin	Dieterich	Lee	Russell
Bailey	Donahay	Lewis	Schwartz
Bankhead	Duffy	Logan	Schwellenbach
Barkley	Ellender	Lonergan	Sheppard
Berry	Frazier	Lundeen	Shipstead
Bilbo	George	McAdoo	Smith
Bone	Gerry	McCarran	Steiwer
Borah	Gibson	McGill	Thomas, Okla.
Bridges	Gillette	McKellar	Thomas, Utah
Brown, N. H.	Glass	McNary	Townsend
Bulkley	Graves	Maloney	Truman
Bulow	Green	Miller	Tydings
Burke	Guffey	Murray	Vandenberg
Byrd	Hale	Neely	Van Nuys
Byrnes	Harrison	Norris	Wagner
Capper	Hatch	Nye	White
Caraway	Hayden	O'Mahoney	
Chavez	Herring	Overton	
Clark	Hitchcock	Pepper	

Mr. LEWIS. Mr. President, I desire to reannounce the absences and the reasons heretofore as stated by me upon a previous roll call.

The PRESIDING OFFICER. Eighty-five Senators have answered to their names. A quorum is present.

Mrs. GRAVES. Mr. President, a new Senator, I believe, is supposed to be seen and not heard, particularly if she has not prepared in detail her maiden speech. I had not expected to speak on this subject, at least for a long time, because I thought agricultural measures would be considered first. But since the antilynching measure has taken precedence over all other measures, I feel that it is of such importance as to demand an expression of my convictions. I shall not speak to consume time, nor shall I discuss other measures that may be more important to our country as a whole; but I shall confine myself merely to the bill in question.

Mr. President, I abhor lynching. It is a crime designed to punish crime or to prevent a recurrence of crime. We know from history, however, that lynching has been common to all countries in an unsettled condition. We know from history that every part of these United States has its heritage of extra-legal activity. We are told, in fact, explicitly, by no less an authority than the encyclopedia that lynch law, not civil law, cleared the forests and valleys of the West of the horse and cattle thieves. That was lynching, and I abhor lynching.

We know that in the pioneer days of the West, where cattle and horses represented the living of the settlers, there was such an epidemic of stealing that numbers of ranchers occasionally banded themselves together and inflicted summary punishment upon the criminals; but in doing so they committed a crime, for they were guilty of lynching.

In the South, lynching originated where helpless women and children in isolated sections were made the victims of the most brutal of all crimes. Men, incensed by such outrages, would band themselves together occasionally and inflict summary punishment upon the criminals. When they did this they were guilty of lynching and therefore of crime; and I abhor lynching. Two wrongs do not make a right.

Occasionally, other crimes were punished in this way.

I abhor the crime of the machine-gun racketeer. When organized bands of murderers blaze their way through the streets of a city and mow down helpless and innocent bystanders, if, perchance, they happen to be in the way of the intended victims of such murderers, they are guilty of murder and they constitute a mob, but they are not committing crime to punish crime; they are committing crime to satisfy their lust for blood or power. I abhor all this.

But I rejoice, Mr. President, to see that times and conditions in the West have changed, and that today an earnest law-enforcement authority, backed by public opinion, has banished the crime of lynching from the west; and now, when an occasional horse thief is caught, he suffers only the penalty that constituted authority imposes.

Mr. President, I rejoice, too, that in the South the constituted authorities, diligent about their business and strengthened by public opinion, are banishing the crime of lynching. In proof of this I have but to submit figures which are furnished by authority, and to reiterate, though it may have been heard on the floor of the Senate before, that whereas 10 years ago, in 1926, there were throughout the country a total of 30 lynchings, at the end of the 10-year period in 1936, which was last year, there were only 9 or 10—there seems to be a conflict of authority, so I shall use the larger number—only 10 lynchings. Thus in the 10-year period there was a reduction of two-thirds, which would mean, if pursued to its logical conclusion, that at the end of 5 years there will not be a single crime of lynching in these United States.

Is not that an amazing record? Today, when we are so deeply concerned with the rapid increase of other crimes throughout our country, we have this amazing spectacle of what is almost an eradication of lynching in the United States. I am told that no other crime in recent years has shown such a decrease.

Mr. President, I do not know the record of machine gunners, and if I did know I should not quote it in this Chamber, nor would I consent to send a representative or an investigator from the Federal Government into a city where machine gunners ply their daily trade to find if, perchance, some precinct policeman, when those guns were blazing away, instead of rushing into the danger, prudently sought shelter. No; I would never consent to send an investigator there, because I believe that the local authorities, backed by the State authorities, feel those things far more keenly than can any outsider; and I am confident, because I attribute to others the same motives I myself possess, that the eternal and determined diligence of local and State authorities in those cities and States, backed by a public opinion, will be so effective that this crime, too, will pass in time. I have every confidence in the peace officers of my sister States.

Mr. President, last summer, when I entered this Chamber for the first time, I felt that there was no greater privilege than to serve the present age, and no greater opportunity for rendering such service than through membership in this great deliberative body, the Senate of these United States. I was filled with a feeling of mutual understanding, of unity, of oneness of purpose, for we had suffered and rejoiced together; we had known want and plenty together; we were at peace; and we, as ambassadors from great sovereign, indestructible States, were met here to counsel, to consider, and enact legislation for the general welfare.

As I participate in the first business of this body at the present session I find that we are to discuss the antilynching bill. Not being learned in the law, I shall not attempt to touch on the constitutionality of this measure, but I feel that I can speak of reason and of justice, and if we confine ourselves to these latter, the former need not concern us.

As to reason, Mr. President, surely only a compelling emergency should cause this body to strike down the sovereignty of an indestructible State and utilize the forces of the Federal Government to insure law and order. No such emergency exists. The problem is being solved. If a specific remedy for a certain disease had been applied so effectively that in a period of 10 years the number of new cases was diminished by two-thirds, which would mean that in another 5 years the disease would probably be completely conquered, would it be wise to change to another remedy, untried and drastic in its nature? Surely there is no reason in that.

As to justice, Mr. President, to punish deliberately men known to be innocent is a new departure in Americanism. I say that advisedly; to punish deliberately innocent citizens is a new departure in Americanism, and a most unwelcome one. What justice is there in punishing thousands of citizens of a county because, perchance, one of their law officers failed to do his full duty in protecting a criminal? If we enact this bill into law, every taxpayer in a county where one officer is negligent may be insulted, condemned, and punished without any legal procedure to which he is party.

Mr. President, a general wrong avenging a particular wrong is all wrong. And if justice demanded that the Federal Government violate the sovereignty of a State to punish a mob, why should a mob of gangsters be explicitly exempted from punishment?

I am wondering if perhaps the urge to pass this bill is caused by a belief that haste is necessary; that if we delay much longer there will be no excuse for the enactment of the bill, because the crime will have vanished, and then nobody can say, "Betsy and I killed the bear."

Reason and justice having been excluded from the bill, I turn then to the only other alternatives of which I can conceive. The first of these, Mr. President, is expediency; and I hesitate to use the word "expediency" in this great body of deliberative lawmakers.

I hesitate to believe that those who are ambassadors from proud and independent sovereignties, who have come here to debate questions of national import, would be actuated by mere matters of local or temporary expediency. I know

that pressure sometimes can be brought to bear, and that for publicity some of us may do a little thing here or there that will not do harm to anyone else; but the question here goes beyond self-aggrandizement. The question is one of principle. Will we violate the honor of our sister States merely for a matter of expediency?

Let me say, Mr. President, that the chiseling of State sovereignty whereby the responsibility for minority groups is taken out of the State's hands ill serves the group that you are supposed to please. That is the very bulwark of their safety; and I cannot believe that this body will yield to expediency, because if this bill is passed you will say, not merely to America, but you men representing great sovereign States will say to the world, "We have in our Union a group of Southern States that cannot or will not enforce the law. Therefore we will send down our Federal forces and take possession."

That is the word, the unmistakable message, that you will send to the world; and I cannot believe that any Senator, no matter whether he be a Republican or a Democrat, would thus violate the indestructible sovereignty of a sister State on the ground of expediency. No; I thrust that from me.

So there is only one alternative left, Mr. President, and that is misinformation or lack of information.

I was struck with this thought day before yesterday when a supposedly well-informed person, an interested person, one who presumably was conversant with national and world affairs, asked my position on this matter. I said, "Why, there is no problem. The South is taking care of that itself;" and this person turned to me with amazement and said, "But you have not any laws against lynching, have you, in the South?"

Lack of information! When one case of lynching occurs in the South, the press of these United States blazons that fact forth throughout the length and breadth of the land, and in all of its details it reiterates all of the circumstances, and harps on the same thing so long that the average person in remote sections who himself does not know the truth is very apt to believe that an isolated case is a typical one. That, Mr. President, is the situation confronting the people today in considering this matter. They believe that an isolated case is a typical case, and therefore many of them favor the antilynching bill, believing that it will correct a very prevalent situation, whereas nothing of that kind is true.

Mr. President, I may not be here when this bill is finally voted upon if its consideration is continued until after the completion of the agricultural bill, for as soon as my people elect a successor in the early part of January I shall resign; but one of the reasons for my speaking today was that I might make one plea. That plea is that before you men, the representatives of proud sister States here assembled in solemn council, sear the brows of your sister States with this brand of shame, you will seek the truth, and you will find in every section of the South local peace officers who are vigilant and alert to protect their prisoners. You will find anxious State officials who, at the very first moment of danger, rush their mounted patrols to the scene, who will and do send their National Guard to stand sentry, to risk, and if necessary, to give their lives or to take life in order that their prisoners shall be protected, no matter how vile the crime that may have been committed. They are concerned more deeply than you can possibly be concerned. They are the ones who are punishing those guilty of lynching, and they have almost eradicated the crime. So I plead with the Members of the Senate to seek and find the truth. The clouds of misinformation will dissolve.

Seek the truth, know the truth, and the truth will make and keep us free.

#### THE BRUSSELS CONFERENCE AND THE AMERICAN DELEGATES

Mr. LEWIS. Mr. President, I do not rise to address myself to the so-called antilynching bill. In the few moments I shall consume I purpose expressing what I feel to be a necessary consideration to enter upon at this time upon an international phase which the patriots in this body cannot ignore.

However, I cannot proceed to the thought, whatever course it takes, without pausing to commend the excellent manner in which the address the junior Senator from Alabama [Mrs. GRAVES] has just delivered to this body. Its excellent phraseology, the artistic manner of the elocution, will commend it to us without regard to whatever may be our views upon the fundamental question she protests is at issue, constitutional, as we call it, to which she addressed herself.

Mr. President, I have also rejoiced in the discussion of the eminent Senators upon all phases presented in discourse, all deserving of great consideration. I am pleased to note my eminent colleague of the Foreign Relations Committee, the Senator from Michigan [Mr. VANDENBERG], on the floor, and should be very pleased if the Senator from Idaho [Mr. BORAH] remains. I also express grateful acknowledgment of the attention accorded me when all are advised that I depart from the debate in hand.

Mr. President and Senators of the session, a short while ago the President of the United States found it agreeable to utter to the world a desire to bring the nations which are at war, or are in conflict, into some assemblage from which there might be worked out some policy of peace. Along this line there was suggested, by those who seemed to favor the idea, that these nations, important nations, which are interested in the subject, and influential with those which are involved, be summoned.

The meeting seems to have been settled to be at Brussels, in Belgium, but we gather from the record, I deplore to say, that that meeting has proceeded upon the very same lines which destroyed the efficacy of a meeting that was held at London in 1933, and the further efficacy of that splendid meeting held here in the city of Washington, under the theory, sirs, of disarmament, and peace among those then in conflict.

It will be noted that for reasons which we need not enter upon, as only speculation can be indulged, the great nations refused to invite Germany and Japan, who have been interested and involved in conflict, and then proceeded to cast a slight upon the nation known as Italy. This was a matter for these nations, from their point of view, I dare say, whatever that point of view be. But speaking for myself—and here I know I speak for my distinguished colleagues without any distinction of party—that it will be assumed that so far as America is concerned, when we invited the nations to a conference, we would invite them all upon an impartial basis, that we would not assume to condemn one and call it a criminal and call it to the bar for punishment before it had a trial.

The eminent nations abroad, however, seem to find it agreeable to adopt another course. We may not complain of what they wish to do; we merely recite it. But finally, after arriving at an understanding, they issued tardily an invitation to Japan, and what appeared to be a very offensive one to Germany. Then Italy is invited to come as one of those who are ranked as of the "also ran" when they meet and its objects have transpired into history. As to this, these nations will take whatever course may seem appropriate to their judgment and justifiable.

I invite attention to the fact that now comes the news—on Sunday, and now of today—as published through the great international press, as well as eminent papers of the United States, such as the New York Times, the New York Herald Tribune, and the splendid papers in my own city of Chicago, that these delegates assembled for the European nations, having seen their blunder, turn to say that any error was the blunder of the United States. We seem to have failed.

The intimation is that the President of the United States did not call these omitted nations; that he it was who did not give the invitation; that these accusing European nations should not be held responsible for an omission in good statesmanship or good manners.

I invite attention, sir, to the fact that that exact thing transpired twice. When we failed to invite a necessary nation to one meeting which was held in this land, and it developed that the whole proceeding developed a nullity,

promptly the charge was made that the United States was responsible and accountable.

I summon you to note that I was present at the meeting in Genoa when, failing to invite two nations at that time greatly concerned, the charge was promptly made that the United States having refused to come in, and having in nowise authorized anything to be done looking to solve the problem, therefore, said Mr. Lloyd George, in his notable speech, as supported by other speakers, it was impossible to carry on the objects of the meeting because of the attitude of the United States, and therefore it failed. Only lately, when I attended the Geneva meeting of the League of Nations seeking sanctions on Italy for advancing on Ethiopia it was charged that all failed because the United States would not endorse and approve the course threatened under the guidance of the League of Nations.

Mr. President, I am inviting the attention of my colleagues to what has transpired. An eminent gentleman, one of the delegates of this country, it appears, designated by the President and present in behalf of the United States, is stated to have joined in this "reprimand to Japan." He apparently fulminates in writing a suggestion of his views, carrying with it the approval of the condemnation which two great nations of Europe have uttered as to two of these nations not invited, for these not having "come in."

For myself, I do not know how far authority has been conferred upon any delegate who, representing America, should join in partnership or cooperation with those of foreign countries in either their desires, their preferences, their hatreds, or their general animadversions as between themselves and some other foreign country. I only know that when the President of the United States suggested that there be some gathering in the name of peace it surely could not have been his object, speaking in behalf of the United States, to start this gathering with first a condemnation of one or any of those invited to join in the conclave for the purpose of harmony of nations and peace between all the contestants.

If what is reported be exact and as stated in the public press, I cannot but see that our distinguished President has been misrepresented, that such a thing could never have been done with his approval, and that such action in nowise meets with the approval of this honorable body, or of officials in authority in the State Department.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Texas?

Mr. LEWIS. I yield.

Mr. CONNALLY. Fully aware of the acquaintance of the distinguished Senator from Illinois with foreign affairs, and conscious of his long and honorable service on the Committee on Foreign Relations of the Senate, and his unusual interest in matters of this kind, I should like to inquire of him whether or not he has requested that the Secretary of State exhibit to him the instructions which went to the so-called representative of the United States in the recent negotiations which have taken place.

Doubtless the Secretary of State would be glad to reveal to the Senator a copy at least of those instructions, and I commend that course to the Senator, if he has not already pursued it. I am always entertained by the Senator, I am instructed by him, and I am anxious to hear his remarks.

Mr. LEWIS. I must say to my able friend, I was serving in Germany on a matter in which the Government had some interest when the particular instructions, whatever they were, were given by the President of the United States, the details of which I am not altogether cognizant of as I gathered it from the foreign press.

I have seen what I am now referring to at so late a moment that I would not have had time to address myself to the Secretary of State if I sought information from that particular Department. But I say in answer to my learned friend, who is a member—and I am sure a very potent one—of the Foreign Relations Committee, that the public press invites our attention to the fact that our Secretary of State is not in the city. I assume that at the proper time such

inquiry as the Senator suggests will be made, and most appropriately responded to.

I refer now to what is being said, coming from such sources so it cannot be disputed as existing fact. It is, sir, that in some way the foreign nations are assuming to hold up the United States before the civilized world as the one country that is to be responsible for whatever transpires at Brussels, after it is intimated and clearly seen that the meeting at Brussels is to be a failure.

I want to say that I cannot see how these eminent diplomats at Brussels could have expected any other result than the failure of the nations referred to to come to the conference, since at the very beginning the conference refused to invite them, nor could they have expected them to accept an invitation issued after the conference had condemned them, though the invitations were belatedly extended grudgingly as in spirit of welcome or cooperation.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER (Mr. DUFFY in the chair). Does the Senator from Illinois yield to the Senator from Texas?

Mr. LEWIS. I yield.

Mr. CONNALLY. I inquire of the Senator from Illinois if it is not his view that before these European nations use the United States to "pull their chestnuts out of the fire" in the present conflict, and before they plunge us into another war in the Orient, they had better pay some of the debts which they owe us from the last war; and if they did so they would have more sympathetic consideration at this time.

Mr. LEWIS. Mr. President, I recognize the propriety of the expression; and, of course, as everyone here knows, I have so often risen on this floor to give expression touching the debts, and expressing my desire and my insistence that something be done to pay them, that my able friend from Texas knows I heartily concur in his conclusion.

I am, however, coming to the other phase that we cannot ignore. I invite attention, sir, to the fact that in the World War one of the great charges made against Germany was that she had used some expression to the effect that all treaties were but "scraps of paper," when promptly the gentleman who is said to have uttered the expression claimed that it was an expression of the United States of America, made by one of its representatives who had been at that time, or previously, an ambassador in that land. Promptly we were accused, and greatly.

Then came from another European the charge that these people, called "Germans," were Huns, barbarians, and had cut off the fingers and hands and arms of certain of the unhappy victims, wherever they were. This charge, too, sir, was gradually circulated, echoed, and published in different parts of the world as coming from us.

Sir, that may or may not have contributed to the successful prosecution of the war; but we who live in a land where there are commingled races and nationalities cannot forget that such charges did awaken a feeling of great hostility on the part of people of German extraction in different States of the Union, and, of course, ill feeling would arise were we to have made such assertions of crimes against a people who came from the same stock as their ancestors.

I now invite attention again to the fact that if these eminent leaders from foreign countries shall find it convenient to continue a policy under which we can be charged with offense against other nations, and with doing something by way of condemnation of their course, we may look forward to some retaliation.

I beg Senators who represent the Pacific coast to pause a minute and contemplate where they are. If Japan is sincerely of the opinion that we have joined in an assault upon her, and that we have proceeded to condemn her, after calling her to court, but without hearing her, her natural instinct will be one of resentment and retaliation. That retaliation, let us understand, may take its course by an expression of conduct either as against the Philippines, in which we have great American interests, as against Hawaii, or against one of the vessels of the United States that may be carrying supplies to

China. We have noted that there has been no declaration of war between China and Japan. Thus our eminent President has not acted to carry into effect the terms of what may be called the Neutrality Act. So our ships have the right to serve China or Japan.

We may readily see, therefore, what these eminent masters in Europe are doing so far as we are concerned. If they are able to attach to us the blame for assault upon countries they may greatly imperil us, and, as the Senator from Texas suggested, cause us to be precipitated into another conflict.

I rise to say that if these foreign countries purpose to place upon us all the blame for the failure of the Brussels conference and decline to give us any credit, then the time has come when our honorable President could most appropriately recall his representatives and tell them to come back to America rather than risk being misrepresented or having placed upon their country an imputation which seems to me to threaten a very serious situation.

I rise at this time to say that the moment has arrived when we should take action long before an event transpires that may call for a much more serious course than now can only be uttered in expression.

In view of what is transpiring, the President himself directly, or through the Secretary of State, should take action to recall our representatives, and not allow himself, either innocently or ignorantly, to be placed in a position where charges shall be made against us or those who represent us which may lead to our being drawn into conflict. They should be withdrawn and requested to come home, where we can at least conduct our affairs in America in behalf of the same nations freed from the risk which now seems to me to be surely threatened through the mistaken course of those who assume to speak for America.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LEWIS. I yield.

Mr. CONNALLY. Deeply conscious as I am of the knowledge of the senior Senator from Illinois with regard to war debts and international affairs, would the Senator mind taking a few moments of the Senate's time to tell us how it is—we all want fiscal information and revenue information—that these European governments have not enough money to pay us even a fraction of the interest on their debts to us, and yet they have enough money to build bigger and better battleships than ours, and to maintain armies many times the size of the Army of the United States; yet with all that, through their machinations in diplomatic channels, they are constantly seeking to put Uncle Sam out in front in the next war that may come along, whether in Europe or in Asia?

Mr. LEWIS. I am compelled to say that I recognize that in the law of psychology and physiology there are many mysteries difficult to unravel. For myself this is one of them. It is utterly impossible for me to explain why nations which have taken billions of money from us should decline to pay a dollar of the principal, should reject the interest, should repudiate the obligation, and hold us before the world as though we were something of those that were holding up a nation and blackmailing it along the highways of existence because we ask money owing by it. It is difficult to explain how these could afford further to spend their billions upon billions in the attachment to themselves of these engines of destruction of civilization and mankind—of those living under what is called international law and justice. They continue to show in these expenditures that they could have paid us something, and yet they decline to do so.

I answer my able friend that to me it is a mystery which I cannot fathom. I would that the distinguished heads of our Government would give it a little consideration, particularly so just now, when I read that we are on the eve of a new trade treaty to give to these debtors certain precedence and advantages of our trade without regard to whether they pay anything whatever of their debts long due us. Therefore I answer my friend that I do not understand it at all. I know only that at the proper time I shall avail myself of the daring liberty to refer to the whole subject more fully upon this floor.

At this particular time I invite the attention of this body to the fact that I am suggesting to honorable officials of the State Department and to the eminent President of the United States that what I see transpiring is directly in avoidance, is directly in violation of that which the President surely had intended, and if it shall continue, it threatens danger. It means some disruption of friendship, it may assure a very serious result. To avoid any of this our honorable President may seriously consider the withdrawal of these honorable gentlemen representing him, that we may not have the blames of other countries put upon us, and that we may continue to preserve ourselves in peace and continue unassailed the rights and liberties of the United States.

#### PREVENTION OF AND PUNISHMENT FOR LYNCHING

The Senate resumed consideration of the motion of Mr. WAGNER to proceed to the consideration of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

Mr. SMITH. Mr. President, I do not intend at this time to make a speech or attempt to advert, except briefly, to what, in my opinion, is the most opprobrious, the most uncalled for, and the most vicious attack upon a section of the country that has ever been made in our history—and that, too, from the party to which my section has given allegiance during all the disappointing years following the War between the States, during which it was only accidentally placed in power, and then only temporarily.

I have risen to serve notice that not now, when other matters should be before us, will I discuss this infamous bill, but later, when it will be before us under a very questionable procedure of this body, I shall address myself to the measure. It is an iniquitous thing, which seeks to make an impassable gulf between the North and South and East and West, and will not be forgiven in the course of the next generation. It has broken what up to now has been an indissoluble tie between what was called the northern and the western democracy and the southern democracy. The pressing of this bill by the so-called leaders of democracy has absolved my section of the country forever from allegiance to the name of the National Democratic Party. You cannot make anything out of us but Democrats, but not Democrats of this type.

Mr. President, what I rose to say was that when this bill shall come up, as it will come, I, for one, will join with other southern Democrats to filibuster to death all other legislation, if by doing so we can prevent my devoted section from being branded by the Senate of the United States as this bill would brand it.

We have shed our blood for less than this. We surely can sacrifice certain legislation if by its sacrifice we may prevent the stigma that is deliberately planned to be placed on the section to which I belong, and which, please God, is more civilized, better cultured, and certainly better educated in the amenities of life than are the sections from which come those who would perpetrate this outrage on us.

The very terms of the bill brand its sponsors with ignorance of the philosophy and the social and intellectual standards of their ancestors. It seeks to reflect upon the proud section of the country whose sons have been the authors of and the defenders of that which made America great. Yet all history, all precedent, and all decency and all attempts to make a common country, after the horrible spectacle of War between the States, must go down before the desire to get the votes of an unfortunate and inferior race. That is all the bill is for.

The splendid speech made by the lady from Alabama [Mrs. GRAVES] this afternoon was marvelous in its eloquent portrayal of the undeniable facts. She analyzed them from every standpoint, and stated to this body, supposed to be a great deliberative body, nothing but the fundamental principles of justice, equity, and the relation of the States to the Nation and the Nation to the States. I wondered if she really realized to whom she was talking.

Mr. President, this bill would hardly be respectable in a slum community before a trial justice in such a community. Disrobe it, let it stand out in its baldness, and it is merely an attempt to appeal to an unfortunate race at the expense of the good name and the good citizenship of a great section of America. I repeat that all those who come from the South ought to band together to resist the passage of this bill. In the confusion incident to the adjournment of the last session some of us, perhaps in order to get away, made the mistake of putting it on the calendar as one of the bills that must be taken up and seriously considered. It is not worthy the attention of decent men. Knowing its purpose as we do, every real lover of America and of his Government ought to help to throw it out the window.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Texas?

Mr. SMITH. I yield.

Mr. CONNALLY. The Senator said that every southern Senator ought to do what he has suggested. Regardless of whether he is a southern Senator or any other kind of a Senator, I take it that the Senator from South Carolina thinks every Senator ought to respect the constitutional limitations of the Federal Government and of the States, does he not?

Mr. SMITH. Oh, certainly.

Mr. CONNALLY. Let me ask the Senator another question. At present where is the jurisdiction to try the crime of murder?

Mr. SMITH. It is within the States.

Mr. CONNALLY. It is within the States; and, if it be there now under the Constitution, how can it be taken away from them and given over to the Federal Government without an amendment to the Constitution of the United States?

Mr. SMITH. It is not a question of the Supreme Court's sustaining the bill, if it should be enacted; it is not a question of its becoming a law; it is a question of getting the endorsement of the Congress for political reasons.

What is the use of mincing words about it? Everybody knows what its purpose is. I think those who have introduced and are sponsoring it ought to estimate how much it would take to buy the Negro votes of their respective communities and then ask Congress to make an appropriation so that they may buy the votes without attempting to humiliate my section to accomplish the same end. [Laughter.]

Mr. CONNALLY. May I interrupt the Senator again?

Mr. SMITH. Yes.

Mr. CONNALLY. We have the constitutional power to make such an appropriation, have we not?

Mr. SMITH. Certainly; and it would be more decent for them to come in frankly and say, "We want you to make an appropriation to enable us to buy the Negro votes of Harlem, of the south side of Chicago, and elsewhere where members of this unfortunate race live in large numbers." Count them; let us see how much it will cost, and buy their votes, but, for God's sake, do not attempt to humiliate a great section in order to get the Negro vote.

Mr. BANKHEAD. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. SMITH. I yield.

Mr. BANKHEAD. In the opinion of the Senator from South Carolina, how many votes would this bill get if Negroes were not voters?

Mr. SMITH. Not one. The Senator from Alabama has hit the nail on the head; and yet, to the shame of this great body, that has helped demonstrate to a doubtful world that democracy is possible, that a dual form of government, collectivism where indicated and individualism where indicated, is practicable, certain long-haired men and short-haired women who never assumed the real responsibilities of life, but are now attempting to perpetrate such a dastardly thing as this, charge us, whose good name is jeopardized, with delaying legislation; in other words, they would let this brand be placed on us in order to get a few Harlem votes.

So far as I am concerned, I represent, in part, the little storm center of the United States, little South Carolina, that passed the Nullification Act single-handed and alone, and then seceded. I do not apologize for either act, because it showed the grit of those from whom I descended. The same courage is in us now. Nothing is done in malice, but our self-respect is touched for the dirty thing of getting votes—and getting them from where and from whom? I imagine those who are trying to get them are about on a par with those from whom they would be obtained. Any set of men that will stoop so low as this are no higher than the source from which they hope to draw their political strength. They are not going to get away with it.

Against my own family a crime was committed that would inflame the heart of any man. I saw a father-in-law 80 years old shot to death, his son shot to death, that son's bride of 8 months shot to death, and a poor, young Negro, who had belonged to certain members of my family, who attempted to defend this defenseless household, had his throat cut. Yet I and those of us whose blood and the sanctity of whose homes were jeopardized believed in letting the law take its course.

I invite the author of this bill to go and stay where we stay, surrounded by the conditions that surround us, and which have surrounded us since the days of the reconstruction. If he would do that, in place of trying to condemn us, were he to know as I know, and as every other southerner knows, the instigation for these outbreaks of lawlessness, if he had a drop of decency in him he would take off his hat in honor of the South emerging as it has emerged from the more prevalent perpetration of this deed.

You may call it "humanitarianism"; but have you no respect for our officers, have you no respect for us?

Mr. President, I said I was not going to make a speech, and I am not. I am simply serving notice that I am going to do everything within my power to keep this iniquitous and unjust stigma from being placed on my section of the country. What galls me more than anything else is that it comes from the so-called Democratic Party, which we have loved and which, in the dark days of reconstruction, was our pillar of glory by day and of fire by night, a fact which made me feel kindly toward old Tammany. I shall never be able to pay my debt of obligation to that organization which stood between us and the death of our civilization.

Senators stand here and quote the Constitution. What is the Constitution to a man who is hunting votes? What does it amount to with him? I can call a polecat a geranium, but that does not make him any less a polecat. You may call this humanitarianism, but it is no less a vote-getting scheme. We all know that. If a certain distinguished Senator were not dead, but was still in this body, I should like to quote what he said when I remonstrated with him about the injection into this body of a similar bill.

No one knows or can know how we of the South feel about this thing. Mark my prediction: If this bill passes and becomes a law through the Supreme Court declaring it constitutional, you will have injected a rift into the ranks of the so-called Democratic Party that all the blandishments of the next generation will never heal.

Mr. President, I wonder sometimes what is the purpose of the treatment being accorded the South. The two-thirds rule in national conventions was abolished and we were eliminated from any participation in the naming of a President. You are about to pass, and perhaps will pass, an hour and wage bill which, in the recrudescence of my section, will crucify it. Now you come along and say, "You are not competent to protect your prisoners"; and so the great purified, sublimated, glorified, crime-ridden New York and her collaborating State, those two peaks of morality and of political and social purity, must not only shed their light on poor benighted South Carolina and the rest of the South, but must send their gifted peace officers down there to help us eliminate lynching and promote racketeering. [Laughter.]

Mr. President, I am taking up the time of another southerner.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. SMITH. Yes; I yield.

Mr. OVERTON. The Senator has lived all of his years in the South. The ostensible purpose of this bill is to protect the Negro from the crimes that are committed upon him by the people of the South. I desire to ask the Senator, what is the attitude of the South toward the Negro race; whether the South is not the best friend of the Negro race that is found in any section?

Mr. SMITH. O Mr. President, that goes without saying. As a baby boy I was nursed in the arms of a Negro woman, whom I loved as devotedly as was possible. Then, later on, old Uncle Bill, who lived to be 103 years old, was my shelter in the time of storm. Many a time my father would lead me around behind the house, where there was an old privet bush that I have hated from that day until this. It grew just the right length of sprouts to "teach the young idea how to shoot." He would take me around behind the house in order to better the condition of my soul and morals by the application of the hickory; and old Uncle Bill, whom my father revered and respected more than he did any other man, would just walk up without a word and deliver me from the hand of the slayer. Oh, I loved him with devotion.

The South knows the Negro, and knows his limitations. I state before this body—and I dare any of you to go down and investigate, that since the Supreme Court has declared that in certain cases involving Federal jurisdiction Negroes must be on the jury, when the Negroes themselves have a case they will take you aside and say, "Do, for God's sake, get me the best white men you can on the jury." Is it not so?

Down in the section from which we come the Negroes are treated just as justly, and more understandingly, than by these gentlemen up North. We do not call them "mister" and "mistress," because they have been accustomed to call us "marster" and "mistress." We do not take them into fellowship with us in the home or in the school, because it is dangerous. You know it. I know it. But give the Negro a school to himself, a church to himself, and treat him fairly, and the relation between the races has grown more amicable as the years have gone by. Pass this bill, and you will be responsible for the consequences.

Mr. President, you are about to put us in this position: Here is the party to which we have given allegiance and for which we have suffered. Though defeat after defeat came, we still were loyal to the principles of democracy. You are about to put us in the position that was described by the Negro preacher who had more knowledge of the sound of words than he did of their meaning. He said to his congregation, "There air but two roads. One leads 'way up to perdition and the other 'way down to degradation." A Negro in the congregation said, "Say that again, parson." He said, "I said, there air but two roads. One leads 'way up to perdition and the other one 'way down to degradation." The Negro said, "My God! If dat be true, dis nigger takes to the woods!" [Laughter.]

Here in the home of our friends, so-called, we are threatened with the most humiliating expression of the other part of the country that ever was conceived in the heart of man. Why, it was born in the heat and passion just subsequent to the Civil War.

I wonder if the Senate is going to pass this South-baiting, South-humiliating measure. I wonder if it is. If we who love the Constitution and love fair play and decency, whether we are Southerners or not, can prevent it, the bill will not pass before the time arrives for another election and calling together of Congress.

Mr. President, when the bill comes up I hope to make some extended remarks regarding it.

Mr. OVERTON. Mr. President, after the impassioned appeal of the Senator from South Carolina [Mr. SMITH], who has long and ably served his country in the Senate of the United States and has grown gray in its service, and after the very brilliant presentation of the demerits of this bill

by the Senator from Alabama [Mrs. GRAVES], who held the "list'nin' Senate to command," and at the conclusion of whose remarks the Senators properly burst into applause, I should be willing to submit this motion without any argument, resting it upon the presentation made by the Senator from Alabama and the Senator from South Carolina, if I did not feel that the judgment of Senators has largely been formed in reference to this motion and this bill, and if I did not feel that it is a duty which I owe, as one who has the honor in part to represent a Southern State, to express to the Senate my disapproval and condemnation of this measure.

The bill is directed not against the sovereign States throughout the Union but against the Southern States of the Union. It is so framed, its phraseology is such, its terms have been so carefully couched, that it is intended to apply solely to the Southern States. It is not intended to enforce due process of law throughout the United States. It is not intended to punish officers who are derelict in the performance of their duty in the protection of life, liberty, and property throughout the United States. It is not intended to enforce the due-process clause of the Constitution by protecting the persons and property of people generally throughout the United States; but it is so framed, as I shall undertake to show the Senate in a few minutes, that it will affect only the officers of the Southern States.

Mr. BONE. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BONE. I have heard that suggestion made, directly or indirectly, a number of times. Is there anything in the language of the bill that would exclude, for instance, the State of Washington from its application? Suppose a man were lynched in the State of Washington, does the Senator suggest, or do those who share his views suggest, that the law would not apply to the State of Washington? What language is there in the bill which would make it apply to only one section of the United States?

Mr. OVERTON. I perhaps have not developed my argument sufficiently for the Senator to grasp it. The bill, I say, in reply to the Senator, is predicated upon an interpretation of the fourteenth amendment of the Constitution, and under that interpretation the fourteenth amendment is presumed to authorize the enactment of the bill. The fourteenth amendment provides in effect that no State shall deprive any person of life, liberty, or property without due process of law.

If we desire seriously to give effect to that provision of the Constitution, why is not the bill so framed that when a sheriff of any county in the State of Washington is derelict in the protection of any person, regardless of whether such person be a criminal or an innocent man, the sheriff should be amenable to the provisions of the law? Why is it so framed that it requires the existence, first, of a mob, which is defined to be three or more people; that the mob shall by violence take some man charged with an offense or convicted of an offense from the hands of the officers of the law, or that the officers of the law fail to prosecute those who are engaged in such violence? Why does the bill apply only to cases of that character?

If we are to have due process of law throughout the United States by congressional enactment, why should not the bill make any peace officer, the Governor of any State, any sheriff, deputy sheriff, chief of police, policeman responsible, not simply in cases of murder of criminals by mobs but where the peace officer fails to protect any person, innocent or guilty of crime, or to protect anyone's property safeguarded under the due-process clause of the Constitution?

Mr. BONE. Mr. President, will the Senator yield again?

Mr. OVERTON. I yield.

Mr. BONE. Perhaps I did not make my question as plain as I should have made it. If a mob is formed in any State in the Union, and that mob is guilty of the thing forbidden by this bill, the law would then apply to any State of the Union, I take it, under the Senator's explanation of the bill. It may be regretful that a piece of legislation does not take in all categories of crime; I would not want to argue that aspect of it with the Senator, because I might be

tempted to agree with him; but within the specific limitations of the bill, the presence of a mob, the seizure of a man's person, the doing of violence to his person—those limitations apply to all States of the Union under the bill. Is not that correct?

Mr. OVERTON. No.

Mr. BONE. The Senator objects because the bill does not apply to all the States of the Union?

Mr. OVERTON. The bill does not undertake to hold any officer liable because a mob maims or kills any person.

Mr. BONE. No; but what I am getting at is that the law will not apply differently by reason of geographical considerations. If a man were lynched in San Francisco, the same rule of law would have to be applied.

Mr. OVERTON. Certainly.

Mr. BONE. That is what I am getting at. A different impression has been left, and I think that is regrettable, because it probably legally is not the case.

Mr. OVERTON. I shall ask the Senator to state to me frankly why it is that this bill is so framed that it does not make an officer of the law responsible where any person is killed or property is destroyed either by a mob or by any individual and the officer is derelict in his duty?

Mr. BONE. Since the Senator asks me the question, I am not the author of the bill, but I take it that the purpose of the bill has been made evident, that it is to get at lynching, one single specific offense. I agree with the Senator, as a lawyer, that there are many offenses, and I think every Member of this body who has been a prosecuting attorney will agree that law violation is a bad thing and an immoral thing, but the specific purpose of the bill we are discussing, whether good or bad, is to get at the one specific offense of lynching.

Mr. OVERTON. Why?

Mr. BONE. Because lynching has been looked upon as an abhorrent thing. That is the reason for it.

Mr. OVERTON. Because lynching for the most part occurs down in the Southern States. So far as this bill is concerned, there may be any number of strike riots in Washington, and men may be murdered, but the strong arm of the Federal Government cannot reach that situation. Gangsters may commit murder upon murder in the streets of New York, they may drench its sidewalks with blood and make the waters of New York Harbor as red as frothing wine, but the strong arm of the Government cannot, under the provisions of the bill, reach out and touch that situation.

The point I was making, I may say to the Senator from Washington, is that the bill has been carefully framed so as to make only the officers in Southern States responsible for failure to afford due protection to person, life, and property.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CONNALLY. Does the Senator recall that in the labor disputes growing out of the strikes in Chicago, Cleveland, and other places, many men, I forget just how many, but some eight or ten labor pickets were shot down, and that no one has ever yet been tried or arraigned for those crimes? Does not the Senator also know that peace officers in a number of cases were shot down and killed in the same kind of clashes in these States which now desire to regulate the South? But there is no appeal here to have the Federal Government take over that situation.

Does not the Senator know that in the State of Washington in the past year there have been maritime strikes directed and guided by an alien, and there has been bloodshed? And yet Senators are unwilling for the Federal Government to come in and take jurisdiction of those crimes, but specifically exempt them under the terms of this bill, and aim its shafts at a small but gallant section of this Republic, and that alone.

Mr. OVERTON. The Senator from Texas is correct, and what he says bears out exactly the point I made in my opening remarks. Along the line of the contribution made by the Senator from Texas, let me read to the Senate a state-

ment made by Mr. J. Warren Madden, Chairman of the National Labor Relations Board, at a conference of the mayors throughout the United States, held here the other day at the Mayflower Hotel. This is the newspaper report:

Madden charged that officials in some cities had deliberately frustrated the operation of the Labor Relations Act.

This is a newspaper account of what Mr. Madden, Chairman of the National Labor Relations Board, said. The article continues, quoting Mr. Madden:

Mayhem, murderous assault, and kidnaping have been committed with impunity in some cities against American citizens whose only offense has been that they are union organizers.

Does the bill reach that situation? Persons may take a union organizer and murder him, and as far as the provisions of this bill are concerned they will not be amenable to prosecution; and no officer of the county in which the act occurs, or the municipality in which it occurs, will be responsible. Why? Because the union organizer is innocent of the commission of any crime; and under the provisions of the measure there must be a murderous assault, mayhem, or the killing of someone who is charged with the commission of a crime, or is suspected of the commission of a crime, before any of the officers of the State government may be haled before the bar of the Federal courts.

If we are going to enforce this article of the Constitution, if we are going to enforce the fourteenth amendment, if we are going to make responsible officers of the law who are derelict in their duty in protecting persons and property and life, why is it that we extend the provision only to those cases where criminals are involved? I ask the Senator from New York, who is espousing and advocating the enactment of this bill, why the police officers in the State of New York may stand by and see an innocent man beaten, maimed, or killed, and it is not undertaken through the terms of the bill to hold those officers of the law responsible and make them amenable to Federal justice?

The Senator from New York does not answer, but I will answer for him.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. WAGNER. Is the Senator referring to the statement by Mr. Madden?

Mr. OVERTON. I am referring not only to the statement by Mr. Madden, but to the fact that under the terms of the bill sheriffs, and mayors and police officers and all enforcement officers might stand by and see an innocent man shot down in the city of New York, and make no effort at all to apprehend his attackers or prosecute them or do anything of the kind, and they would not be responsible under the terms of the bill. Why is it?

Mr. WAGNER. I do not know of such a case; but if the Senator wants to extend this legislation to some other types of crime, he certainly shall have no resistance from me. As I stated before, however, this is a bill which deals with the subject of lynching.

Mr. OVERTON. I will say that I do not want to extend the provisions of the bill, because I think the bill is unconstitutional, and I am opposed to the philosophy and the theory of it, because I believe the States alone should have jurisdiction in reference to these matters. I will tell the Senate why that is, in my opinion—and if I am wrong, the Senators who are espousing the bill may correct me. If Senators would undertake to prepare a bill that would make any officer, any Governor—as this bill does under certain circumstances—any Governor, any district attorney, any sheriff, any marshal, any policeman responsible because he has failed in the performance of his duty where the right of any individual under the Constitution has been violated—if Senators would undertake by the provisions of the bill to make all State officers throughout the United States responsible, they know that the capacity of those State officers for getting votes is such that many of those Senators would never return to the United States Senate. So, Mr. President, when the bill in its title declares that its purpose is to assure to persons within the jurisdiction of every State the equal protection of

the law, it states something that the bill itself does not bear out. It is so framed that acts of violence cognizable under the bill must be committed against those charged with or suspected of crime.

If a union organizer goes into some county in the State of New York and undertakes to organize an industry, and his presence is not desired, and in order to get rid of him a mob is formed, and they take him out and beat him and maim him and get him out of the community, he does not come within the protection of this bill. He does not come under the broad aegis of the protection of our Federal Government, because the union organizer has not committed any crime. But if in connection with anyone who has committed a crime or who is charged with a crime or suspected of a crime an officer of the law fails in his duty referred to in the bill, that officer is criminally responsible.

Mr. President, we have certain areas down South—and perhaps there are such areas in other States—in which there exists a sort of implied zoning ordinance. It is not a legal ordinance, but it is accepted by the community. The community may be a rural one populated by white people. They want it to remain a white community. They do not wish any of the Negro population to reside in that community. Suppose a Negro—a law-abiding, peaceful citizen—goes into that community, and because he violates that self-constituted zoning ordinance a mob forms and takes him out and beats him or hangs him; that action does not come under the provisions of this bill.

In my opinion, the sponsors of the bill deliberately so framed it that it will not affect the peace officers generally throughout the United States and particularly in their own respective States. It will not make them responsible for their derelictions in the performance of their duties in carrying out the due processes of the law and giving protection to citizens generally in their respective jurisdictions. That is what the Constitution declares the people are entitled to have. It says:

Nor shall any State deprive any person of life, liberty, or property without due process of law.

Not "any criminal," not "any one suspected of crime," but "any person"—

Nor deny to any person within its jurisdiction the equal protection of the law.

Senators from States other than Southern States, in framing this bill, were careful that it should not affect any of the officers in their respective States, so careful that they actually and deliberately and expressly excluded acts of violence on the part of gangsters and acts of violence in connection with labor troubles and labor riots. Are not laborers entitled to protection under the due process of law? Before the laborer can come under the protection of the provisions of this bill is it necessary for him to have committed a crime or to be suspected of a crime?

Let us take a United States attorney in the State of New York who has been vigilant in the prosecution of criminals. He has committed no crime, but gangsters want to get rid of him. They lay in wait for him. They murder him. The law-enforcement officers are derelict in the performance of their duty in apprehending the gangsters, in prosecuting them, and in having them convicted; but they do not come under the provisions of this bill because the district attorney has not been guilty of the commission of any crime.

So, in order that the terms of the bill may apply only to the South, it is so framed as to protect the criminal, but it will not protect innocent persons in their lives and liberties and it will not protect persons in the enjoyment of their property. If they want to enforce by statute the due-process clause of the Constitution, why do not the sponsors of the bill protect the big industries in the enjoyment of their property? Do not they come under the due-process clause? Does not the due-process clause apply to property as well as to persons? But there is not a single provision in the bill that can be construed as in any manner meeting a situation where sit-down

strikers take possession of a plant and deprive the lawful owner of the enjoyment of his property.

I say the sponsors of the bill are not undertaking to enforce the due-process clause of the Constitution upon which they claim to base this bill, but they have undertaken to frame a bill which they think will hold up the South to scorn and to contempt among the nations of the earth.

So much for the first portion of the title of the bill. What is the second portion of the title?—

And to punish the crime of lynching.

That is the full title of the bill.

To assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching.

Where is there a single provision in the bill that undertakes to punish the lynchers? In this bill which a Senate committee has presented to the Senate for enactment and moved for its immediate consideration, in this bill that is gloriously titled a bill to assure to all persons within the jurisdiction of every State the equal protection of the law and to punish the damnable and nefarious crime of lynching, where is there any kind of a provision that arraigns the lyncher himself before the bar of Federal justice?

I will ask the junior Senator from New York [Mr. WAGNER] to state whether there is any provision in the bill that affects the lyncher, that brings him to condign punishment; and if there is no such provision, why is there not?

Mr. WAGNER. Mr. President, rather than have these to-and-fro questions and answers, I prefer in my own time to cover the entire subject, and perhaps will answer the different questions which have been raised by Senators.

Mr. OVERTON. May I ask the Senator from New York a question that can be answered categorically? Is it because he thinks any provision that would undertake to make the lyncher responsible criminally under the Federal law would be unconstitutional?

Mr. WAGNER. Not at all. I am advocating the legislation because I am convinced, and I think I will convince the Senator from Louisiana when the time comes, that so far as the Constitution is concerned, we are complying this proposed legislation with the Federal Constitution.

Mr. OVERTON. I understand that is the position of the Senator from New York so far as the bill now before the Senate is concerned, but does he take the position that the Federal Government can enact a law to punish the lyncher?

Mr. WAGNER. I would want to think about that. The Federal Government under the fourteenth amendment can compel the States by legislation, or the Supreme Court can do so, as it has done without any Federal legislation, to see to it that equal protection is given by the State to every person within the State. It is under that provision of the Constitution that the proposed legislation is justified.

Mr. OVERTON. Still, that does not answer the question I propounded.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. OVERTON. Certainly.

Mr. CONNALLY. Is not the Senator from Louisiana aware of the fact that the bill as written does not punish—of course, he has already said so—the men who go out and make up the mob and commit the murder but punishes the innocent people who are at home tending to their own business and trying to uphold the law, and it does so by putting a penalty of \$10,000 against the county and making the innocent taxpayers pay that penalty, while the guilty men who participated in the mob walk the streets free of any penalty of any kind?

Mr. OVERTON. I understand that distinction is made in the bill.

Mr. WAGNER. So far as prosecution of the individual is concerned, that is a matter entirely for the States.

Mr. OVERTON. Why is not the other matter for the States as well?

Mr. WAGNER. Because the State is obligated—but never mind. The time will come when I shall discuss that. The

State is obligated under the fourteenth amendment, and the Senator knows it as well as I do, to give equal protection of the law to all the persons within that State. When the State fails in that duty it violates a provision of the Federal Constitution. That is true whether the State is in the North, the East, the Middle West, or the South.

Mr. OVERTON. Then I go back to the question I asked a while ago: Why is it that this protection is thrown around only those who are charged with the commission of crime? Why is it, when an innocent man is murdered by a mob, that your bill does not come in and protect him?

Mr. BARKLEY. Mr. President, does the Senator wish to suspend here, or would he rather conclude tonight?

Mr. OVERTON. I should like to yield now to the Senator from Kentucky, provided I do not lose the floor.

#### AGRICULTURAL RELIEF

Mr. BARKLEY. Mr. President, before moving an executive session I wish to state that I am advised that the Committee on Agriculture and Forestry will conclude tomorrow its labors on the agricultural bill. It is the committee's desire to report the bill at the earliest possible date and have it taken up for consideration on Monday. Therefore I ask unanimous consent that the chairman of the committee be authorized to submit his report on the measure during the contemplated recess of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, I always find it a pleasure to cooperate with the able leader; but there is a rule of the Senate that when a report is made by a committee the measure must go over 1 day for the purpose of giving Members of the Senate an opportunity to study the bill and read the report. If I should comply with this request, no opportunity would be had by Senators to study the bill before Monday. I think it is wise to follow the rule and the unbroken practice, and therefore I must object.

Mr. BARKLEY. Mr. President, if the Senator will withhold his objection for a moment—and I hope he will withhold it permanently—I will say that if the committee should report tomorrow, the bill and the report would be available for the study of Senators over the week end; and that would afford them more time than simply to make the report on Monday and let the bill lie over until Tuesday. Unless this request should be granted, the committee could not make its report until noon on Monday, and the report would then have to be printed, and it probably would be late in the afternoon before Senators could obtain copies of it. It seems that not only would there be a saving of time but Senators would have more time to study the bill and the report if the Senator from Oregon would not insist on his objection.

Mr. McNARY. Mr. President, I am a member of the Committee on Agriculture and Forestry, and I doubt very much if the bill will be ready to report until late tomorrow, if then. That would bring it into Sunday. In that event the report could not be printed, or the bill, as modified, issued, until Monday. The rule to which I have referred was adopted by the Senate, and we have conformed to it for many years, and I think it leads to better legislation and more thorough study than if another course were followed. Being convinced of the soundness of my position, therefore, I must object.

The PRESIDING OFFICER. Objection is heard.

#### EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. DUFFY in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### THE CALENDAR

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state in order the nominations on the Executive Calendar.

#### FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

The legislative clerk read the nomination of Maurice E. Gilmore, of New York, to be regional director, region I.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert A. Radford, of Minnesota, to be regional director, region IV.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Claude C. Hockley, of Oregon, to be regional director, region VII.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### WORKS PROGRESS ADMINISTRATION

The legislative clerk read the nomination of Robert J. Dill, of Florida, to be State administrator for Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That concludes the Executive Calendar.

#### LEGISLATIVE SESSION—ORDER OF BUSINESS

The Senate resumed legislative session.

Mr. WAGNER. Mr. President, so that I may be informed as to the program of legislation, the Senator from Kentucky does not expect that the farm bill will be taken up on Monday?

Mr. BARKLEY. No; under the rule, in view of the objection of the Senator from Oregon, the agricultural bill cannot be taken up on Monday, and therefore the present order will continue.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. What is the purpose of the Senator from Kentucky with relation to taking up the calendar on Monday?

Mr. BARKLEY. It is not the purpose to take it up on Monday.

Mr. CONNALLY. There are a great many bills on the calendar.

Mr. BARKLEY. I beg the Senator's pardon; there are not many bills on it.

Mr. CONNALLY. There are all the bills that went over at the last session.

Mr. BARKLEY. We cleaned up nearly all the unobjected-to bills at the last session, and no new bills have been reported.

Mr. WAGNER. Besides, there is a pending motion.

Mr. CONNALLY. Yes; there is a motion; that is all, just a motion. [Laughter.]

#### RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until Monday, November 22, 1937, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate November 19 (legislative day of November 16), 1937*

ASSISTANT GENERAL COUNSEL, BUREAU OF INTERNAL REVENUE

John Phillip Wenchel, of Washington, D. C., to be Assistant General Counsel for the Bureau of Internal Revenue in place of Morrison Shafroth, resigned. (Mr. Wenchel is now serving under temporary commission issued during the recess of the Senate.)

#### COLLECTORS OF INTERNAL REVENUE

F. Roy Yoke, of Morgantown, W. Va., to be collector of internal revenue for the district of West Virginia in place of Walter R. Thurmond, resigned.

Arthur D. Reynolds, of Minneapolis, Minn., to be collector of internal revenue for the district of Minnesota in place of James R. Landy, removed.

(These officers are now serving under temporary commissions issued during the recess of the Senate.)

#### PUBLIC HEALTH SERVICE

Dr. Wixom S. Sibley to be assistant surgeon in the United States Public Health Service, to rank as such from September 22, 1937. (Dr. Sibley is now serving under temporary commission issued during the recess of the Senate.)

#### COAST GUARD OF THE UNITED STATES

Lt. George W. McKean to be lieutenant commander, to rank as such from October 1, 1935.

Lt. (Jr. Gr.) Simon R. Sands, Jr., to be lieutenant, to rank as such from May 15, 1936.

Joseph William Naab, Jr., to be ensign, to rank as such from September 20, 1937.

Corliss Bancroft Lambert to be ensign, to rank as such from September 20, 1937.

Victor Edward Bakanas to be ensign, to rank as such from September 20, 1937.

James McIntosh to be ensign, to rank as such from September 20, 1937.

Maynard Fling Young to be ensign, to rank as such from September 20, 1937.

Harold Land to be ensign, to rank as such from September 20, 1937.

Mark Alexander Whalen to be ensign, to rank as such from September 20, 1937.

William Frederick Cass to be ensign, to rank as such from September 20, 1937.

Roger Miles Dudley to be ensign, to rank as such from September 20, 1937.

Albert Freeman Wayne, Jr., to be ensign, to rank as such from September 20, 1937.

Chester Irwin Steele to be ensign, to rank as such from September 20, 1937.

Clarence Henry Waring, Jr., to be ensign, to rank as such from September 20, 1937.

Clement Vaughn, Jr., to be ensign, to rank as such from September 20, 1937.

Paul Edwin Geleff Prins to be ensign, to rank as such from September 20, 1937.

Christian Walter Peterson to be ensign, to rank as such from September 20, 1937.

Robert Jessup Clark to be ensign, to rank as such from September 20, 1937.

Edward Prest Chester, Jr., to be ensign, to rank as such from September 20, 1937.

Larry Lee Davis to be ensign, to rank as such from September 20, 1937.

Ensign (Temporary) Fred F. Nichols to be ensign, to rank as such from August 12, 1937.

Ensign (Temporary) Theodore F. Knoll to be ensign, to rank as such from August 12, 1937.

Ensign (Temporary) Nelson C. McCormick to be ensign, to rank as such from August 12, 1937.

Ensign (Temporary) Frank M. McCabe to be ensign, to rank as such from August 12, 1937.

(These officers are now serving under temporary commissions issued during the recess of the Senate.)

#### APPOINTMENTS IN THE REGULAR ARMY

To be Judge Advocate General, with the rank of major general, for a period of 4 years from date of acceptance, with rank from December 1, 1937

Col. Allen Wyant Gullion, Judge Advocate General's Department, vice Maj. Gen. Arthur W. Brown, Judge Advocate General, whose term of office expires November 30, 1937.

To be Chief of Engineers, with the rank of major general, for the period of 4 years beginning October 18, 1937, with rank from October 18, 1937

Col. Julian Larcombe Schley, Corps of Engineers, vice Maj. Gen. Edward M. Markham, Chief of Engineers, whose term of office expired October 17, 1937.

To be Chief Signal Officer, with the rank of major general, for the period of 4 years beginning October 1, 1937, with rank from October 1, 1937

Col. Joseph Oswald Mauborgne, Signal Corps, vice Maj. Gen. James B. Allison, Chief Signal Officer, retired September 30, 1937.

#### To be brigadier general

Col. Walter Evans Prosser, Signal Corps, from November 1, 1937, vice Brig. Gen. Perry L. Miles, United States Army, retired October 31, 1937.

#### TEMPORARY RANK IN THE AIR CORPS

To be colonel with rank from October 12, 1937

Lt. Col. John Chilton McDonnell.

To be colonel with rank from December 1, 1937

Lt. Col. Roy Messick Jones.

To be lieutenant colonels with rank from October 12, 1937

Maj. Lester Thomas Miller.

Maj. Arthur Bee McDaniel.

Maj. Francis Murray Brady.

Maj. Arthur Edmund Easterbrook.

To be lieutenant colonel with rank from October 19, 1937

Maj. Warner Beardsley Gates.

#### To be lieutenant colonel

Maj. Ira Clarence Eaker, vice Lt. Col. Roy M. Jones, Air Corps, nominated for appointment as temporary colonel, Air Corps.

To be major with rank from October 11, 1937

Capt. Jack Greer.

To be majors with rank from October 12, 1937

Capt. Guy Kirksey.

Capt. Thomas Herbert Chapman.

Capt. John Michael McDonnell.

Capt. Angier Hobbs Foster.

Capt. Harry Hobson Mills.

Capt. Edwin Sullivan.

Capt. John Raymond Drumm.

Capt. Oliver Kendall Robbins.

Capt. John Raglan Glascock.

Capt. Charles Gage Brennehan.

Capt. George Vardeman McPike.

Capt. George Good Cressey.

Capt. Clarence Edgar Crumrine.

Capt. Russell Hay Cooper.

Capt. Ray L. Owens.

Capt. John Sherman Gullet.

Capt. Henry Guy Woodward.

Capt. John Ross Morgan.

Capt. Roscoe Caleb Wriston.

Capt. Charles Edwin Thomas, Jr.

Capt. James Bumer Jordan.

Capt. James Cole Shively.

Capt. James Culver Cluck.

Capt. William Noel Amis.

Capt. Harold Hibbard Carr.

Capt. Rufus Benjamin Davidson.

Capt. Stanton Thomas Smith.

Capt. Evers Abbey.

Capt. Joseph Popenjoy Bailey.

Capt. Clarence Frost Horton.

Capt. Raymond Rudolph Brown.

Capt. William John McKiernan, Jr.

Capt. Edwin Ray McReynolds.

Capt. David Glenn Lingle.

Capt. Robert Morris Webster.

Capt. Sigmund Franklin Landers.

Capt. Milo Neil Clark.  
 Capt. Harrison Gage Crocker.  
 Capt. Ned Schramm.  
 Capt. Jesse Anthony Madarasz.  
 Capt. Edward Morris Robbins.

*To be major with rank from October 13, 1937*

Capt. Jack Clemens Hodgson.

*To be majors with rank from October 14, 1937*

Capt. Stanley Milward Umstead.  
 Capt. James Weston Hammond.  
 Capt. Charles Backes.

*To be major with rank from October 21, 1937*

Capt. Ray Guy Harris.

*To be major*

Capt. Pardoe Martin, vice Maj. Ira C. Eaker, Air Corps, nominated for appointment as temporary lieutenant colonel, Air Corps.

CORPS OF ENGINEERS

*To be second lieutenants with rank from September 20, 1937*  
 Second Lt. Allan A. Blatherwick, Corps of Engineers Reserve.

Second Lt. William George Van Allen, Infantry Reserve.  
 Second Lt. Jack Alban Gibbs, Corps of Engineers Reserve.  
 Second Lt. Ernest Cortland Adams, Corps of Engineers Reserve.

Second Lt. Lavonne Edwin Cox, Corps of Engineers Reserve.  
 Second Lt. Charles V. Ruzek, Jr., Corps of Engineers Reserve.

Second Lt. Holmes Fielding Troutman, Coast Artillery Corps Reserve.

Second Lt. Ward Hamilton Van Atta, Coast Artillery Corps Reserve.

Henry Cottrell Rowland, Jr., of Washington, D. C., ensign, Naval Reserve.

First Lt. Erland Alfred Tillman, Infantry Reserve.

Second Lt. Joseph Anthony Smedile, Corps of Engineers Reserve.

Second Lt. William Davis Murphy, Corps of Engineers Reserve.

Second Lt. John Allan Morrison, Infantry Reserve.

Second Lt. Walter Orville Peale, Jr., Corps of Engineers Reserve.

Second Lt. John Andrew Allgair, Infantry Reserve.

*To be second lieutenant with rank from September 22, 1937*

Second Lt. John Dean Holm, Jr., Corps of Engineers Reserve.

*To be second lieutenant with rank from September 29, 1937*

Second Lt. Paul Henry Lanphier, Signal Corps Reserve.

*To be second lieutenant with rank from October 8, 1937*

Second Lt. Earl Harrison Williams, Corps of Engineers Reserve.

MEDICAL CORPS

*To be first lieutenants with rank from September 1, 1937*

First Lt. John Boyd Coates, Jr., Medical Corps Reserve.  
 First Lt. Byron Edward Pollock, Medical Corps Reserve.  
 First Lt. William Donald Preston, Medical Corps Reserve.  
 First Lt. Winston Hunter Vaughan, Jr., Medical Corps Reserve.

First Lt. Richard Patrick Mason, Medical Corps Reserve.

First Lt. Daniel Joseph Sheehan, Medical Corps Reserve.

*To be first lieutenants with rank from October 1, 1937*

First Lt. Claude Benjamin White, Medical Corps Reserve.  
 First Lt. Joseph Edward Cannon, Medical Corps Reserve.  
 First Lt. Donald Edgar Carle, Medical Corps Reserve.  
 First Lt. Thomas Donald McCarthy, Medical Corps Reserve.  
 First Lt. James Bernard Seaman, Medical Corps Reserve.

DENTAL CORPS

*To be first lieutenants with rank from August 27, 1937*

First Lt. Robert Donald Johnson, Dental Corps Reserve.  
 First Lt. Bernard Charles Hammon, Dental Corps Reserve.  
 First Lt. Arthur Nicholas Kracht, Dental Corps Reserve.

*To be first lieutenants with rank from October 1, 1937*

First Lt. Maurice Cooper Harlan, Dental Corps Reserve.  
 First Lt. William Harold Day, Dental Corps Reserve.  
 First Lt. Martin Frederick Sullivan, Dental Corps Reserve.  
 Capt. Glynn Bryan Widner, Dental Corps Reserve.  
 First Lt. Richard Henry Carnahan, Dental Corps Reserve.  
 First Lt. James O'Neil Mitchell, Dental Corps Reserve.  
 First Lt. Charles Kenneth Reger, Dental Corps Reserve.  
 Capt. George Henry Timke, Jr., Dental Corps Reserve.  
 First Lt. Clyde Danford Oatman, Jr., Dental Corps Reserve.

First Lt. James Shira Pegg, Dental Corps Reserve.

First Lt. Thomas James Hagen, Dental Corps Reserve.

First Lt. William Brooks Simms, Dental Corps Reserve.

First Lt. Carlos Francis Schuessler, Dental Corps Reserve.

First Lt. Marshall Clemmon Clerk, Dental Corps Reserve.

First Lt. John Eugene Finnegan, Dental Corps Reserve.

First Lt. Frederick Reuben Corbin, Dental Corps Reserve.

First Lt. Frederick Henry Richardson, Jr., Dental Corps Reserve.

First Lt. Henry Stuart Carroll, Dental Corps Reserve.

First Lt. Donald Bliss Lenkerd, Dental Corps Reserve.

First Lt. Frank Garvey Bolton, Dental Corps Reserve.

VETERINARY CORPS

*To be first lieutenant with rank from October 1, 1937*

Capt. Earl Goss Kingdon, Veterinary Corps Reserve.

*To be first lieutenant with rank from October 29, 1937*

First Lt. John Kenneth Allen, Veterinary Corps Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Capt. Charles Carlton Cavender, Infantry, August 25, 1937, with rank from August 1, 1935.

Capt. Albert Gillian Kelly, Infantry, September 13, 1937, with rank from August 1, 1935.

Capt. Charles Raeburne Landon, Infantry, September 25, 1937, with rank from August 1, 1935.

Capt. Newton Farragut McCurdy, Cavalry, September 1, 1937, with rank from August 1, 1935.

Capt. Frank Martin Smith, Infantry, September 1, 1937, with rank from September 3, 1924.

TO QUARTERMASTER CORPS

Maj. Eugene Peter Henry Gempel, Chemical Warfare Service, August 23, 1937, with rank from August 1, 1935.

Maj. Farragut Ferry Hall, Infantry, October 11, 1937, with rank from June 11, 1929.

Maj. Wilbur Reece McReynolds, Infantry, September 17, 1937, with rank from August 1, 1935.

Maj. Norman Minus, Infantry, September 2, 1937, with rank from September 1, 1934.

Maj. George Corbett Pilkington, Infantry, October 26, 1937, with rank from August 1, 1935.

Capt. Robert Earle Blair, Infantry, September 10, 1937, with rank from August 1, 1935.

Capt. Harry Grattan Dowdall, Infantry, August 24, 1937, with rank from August 14, 1934.

Capt. Mark Christian Neff, Infantry, August 28, 1937, with rank from October 1, 1934.

Capt. Jack Edmund Rycroft, Infantry, with rank from October 1, 1934.

Capt. Charles Elford Smith, Infantry, October 11, 1937, with rank from August 1, 1935.

First Lt. Charles Greene Calloway, Coast Artillery Corps, November 11, 1937, with rank from November 1, 1934.

TO FINANCE DEPARTMENT

Capt. Stephen Bowen Elkins, Infantry, August 31, 1937, with rank from April 18, 1932.

TO ORDNANCE DEPARTMENT

First Lt. Phillips Waller Smith, Cavalry, October 16, 1937, with rank from August 1, 1935.

## TO SIGNAL CORPS

Capt. Maurice Place Chadwick, Field Artillery, September 13, 1937, with rank from July 1, 1935.

## TO CHEMICAL WARFARE SERVICE

Capt. Thomas Adams Doxey, Jr., Field Artillery, September 10, 1937, with rank from August 1, 1935.

## TO FIELD ARTILLERY

First Lt. Louis Mortimer deLisle deRiemer, Cavalry, October 6, 1937, with rank from November 1, 1934.

## TO AIR CORPS

Second Lt. John Knox Arnold, Jr., Coast Artillery Corps, October 1, 1937, with rank from June 12, 1936.

Second Lt. Wallace Conrad Barrett, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. John Milton Bartella, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Fredrick Bell, Coast Artillery Corps, October 1, 1937, with rank from June 12, 1936.

Second Lt. Carl Kenneth Bowen, Jr., Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. Edward Lawrence Parsons Burke, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Richard Henry Carmichael, Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. George Paul Champion, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Albert Patton Clark, Jr., Cavalry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Cecil Edward Combs, Cavalry, October 1, 1937, with rank from June 12, 1936.

Second Lt. William Ellerbe Covington, Jr., Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Laurence John Ellert, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Robert Dean Gapen, Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. Frank Walter Gillespie, Coast Artillery Corps, October 1, 1937, with rank from June 12, 1936.

Second Lt. Carl Theodor Goldenberg, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. William Russell Grohs, Cavalry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Ernest Samuel Holmes, Jr., Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Clark Lewis Hosmer, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Seward William Hulse, Jr., Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. William Wesley Jones, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. John Richard Kelly, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. William Levere Kimball, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. William Garnett Lee, Jr., Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. William Maurice McBee, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Charles Milton McCorkle, Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. Dwight Oliver Monteith, Corps of Engineers, October 1, 1937, with rank from June 12, 1936.

Second Lt. Joseph James Nazzaro, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Conrad Francis Necrason, Signal Corps, October 1, 1937, with rank from June 12, 1936.

Second Lt. Carl Mosby Parks, Infantry, October 1, 1937, with rank from June 12, 1935.

Second Lt. Turner Clifton Rogers, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Jay Dean Rutledge, Jr., Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. Von Roy Shores, Jr., Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Norman Calvert Spencer, Jr., Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. Charles Barnard Stewart, Coast Artillery Corps, October 1, 1937, with rank from June 12, 1936.

Second Lt. Frederick Reynolds Terrell, Field Artillery, October 1, 1937, with rank from June 12, 1936.

Second Lt. Clinton Utterback True, Infantry, October 1, 1937, with rank from June 12, 1936.

Second Lt. James Walter Twaddell, Jr., Cavalry, October 1, 1937, with rank from June 12, 1936.

Second Lt. Clinton Dermott Vincent, Field Artillery, October 1, 1937, with rank from June 12, 1936.

## PROMOTIONS IN THE REGULAR ARMY

*To be colonels*

Lt. Col. Frank Keet Ross, Field Artillery, from September 1, 1937.

Lt. Col. Oral Eugene Clark, Infantry, from September 1, 1937.

Lt. Col. Allan Clay McBride, Field Artillery, from September 1, 1937.

Lt. Col. Herman Kobbé, Cavalry, from September 4, 1937.

Lt. Col. John Norton Reynolds, Air Corps, from October 1, 1937.

Lt. Col. Leonard Craig Sparks, Field Artillery, from October 1, 1937.

Lt. Col. Rufus Foote Maddux, Coast Artillery Corps, from October 1, 1937.

Lt. Col. Lincoln Beaumont Chambers, Corps of Engineers, from October 1, 1937.

Lt. Col. John Hale Stutesman, Infantry, from October 1, 1937.

Lt. Col. John Alden Crane, Field Artillery, from October 1, 1937.

Lt. Col. John Ashley Warden, Quartermaster Corps, from November 1, 1937.

Lt. Col. Frank Melvin Kennedy, Air Corps, from November 1, 1937.

Lt. Col. John Thomas Harris, Quartermaster Corps, from November 1, 1937.

Lt. Col. Albert Sidney Johnston Tucker, Infantry, from November 1, 1937.

Lt. Col. Marion Ogilvie French, Infantry, from November 1, 1937.

Lt. Col. Frederick Almyron Prince, Field Artillery, from November 1, 1937.

Lt. Col. John Mather, Ordnance Department, from November 1, 1937.

Lt. Col. George William Carlyle Whiting, Infantry, from November 1, 1937.

*To be lieutenant colonels*

Maj. Fay Brink Prickett, Field Artillery, from September 1, 1937.

Maj. Calvin DeWitt, Jr., Cavalry, from September 1, 1937.

Maj. Lucien Samuel Spicer Berry, Cavalry, from September 1, 1937.

Maj. Victor William Beck Wales, Cavalry, from September 1, 1937.

Maj. William Earl Chambers, Infantry, from September 1, 1937.

Maj. Joseph Merit Tully, Cavalry, from September 4, 1937.

Maj. James deBarth Walbach, Coast Artillery Corps, from October 1, 1937.

Maj. Warner William Carr, Infantry, from October 1, 1937.

Maj. Hugh Mitchell, Signal Corps, from October 1, 1937.

Maj. Robert LeGrow Walsh, Air Corps, from October 1, 1937.

Maj. Richard Mar Levy, Adjutant General's Department, from October 1, 1937.

Maj. Thomas Lyle Martin, Infantry, from October 1, 1937.

Maj. Geoffrey Prescott Baldwin, Infantry, from October 1, 1937.

Maj. Kenneth Macomb Halpine, Infantry, from October 1, 1937.  
 Maj. George Sidney Andrew, Cavalry, from October 1, 1937.  
 Maj. Roland Paget Shugg, Field Artillery, from October 1, 1937.  
 Maj. Ellicott Hewes Freeland, Coast Artillery Corps, from November 1, 1937.  
 Maj. Spencer Albert Townsend, Cavalry, from November 1, 1937.  
 Maj. Richard Clark Birmingham, Infantry, from November 1, 1937.  
 Maj. James Cornelius Ruddell, Coast Artillery Corps, from November 1, 1937.  
 Maj. Thomas Green Peyton, Cavalry, from November 1, 1937.  
 Maj. Joseph Hamilton Grant, Infantry, from November 1, 1937.  
 Maj. Joseph James O'Hare, Infantry, from November 1, 1937.  
 Maj. Arthur Monroe Ellis, Infantry, from November 1, 1937.  
 Maj. Maurice Levi Miller, Infantry, from November 1, 1937.  
 Maj. Junius Henry Houghton, Air Corps, from November 1, 1937.  
 Maj. Abram Vorhees Rinearson, Jr., Coast Artillery Corps, from November 1, 1937.

*To be majors*

Capt. Robert Jesse Whatley, Infantry, from September 1, 1937, subject to examination required by law.  
 Capt. Ira Robert Koenig, Air Corps, from September 1, 1937.  
 Capt. Raynor Garey, Field Artillery, from September 1, 1937.  
 Capt. Harrie Dean Whitcomb Riley, Corps of Engineers, from September 1, 1937.  
 Capt. Phillip Schneeberger, Air Corps, from September 1, 1937.  
 Capt. Leon Henry Richmond, Signal Corps, from September 1, 1937.  
 Capt. Victor Guminski Schmidt, Coast Artillery Corps, from September 1, 1937.  
 Capt. Fred Bidwell Lyle, Field Artillery, from September 1, 1937.  
 Capt. Karl Shaffner Axtater, Air Corps, from September 1, 1937.  
 Capt. William Joseph Flood, Air Corps, from September 4, 1937.  
 Capt. Charles Merrill Savage, Air Corps, from September 24, 1937.  
 Capt. Francis Dundas Ross, Jr., Infantry, from October 1, 1937.  
 Capt. George Churchill Kenney, Air Corps, from October 1, 1937.  
 Capt. Bertram John Sherry, Signal Corps, from October 1, 1937.  
 Capt. George Merrill Palmer, Air Corps, from October 1, 1937.  
 Capt. Charles Rawlings Chase, Cavalry, from October 1, 1937.  
 Capt. Loren Francis Parmley, Judge Advocate General's Department, from October 1, 1937.  
 Capt. Erle Fletcher Cress, Cavalry, from October 1, 1937.  
 Capt. Ray Harrison Green, Quartermaster Corps, from October 1, 1937.  
 Capt. John Parr Temple, Air Corps, from October 1, 1937.  
 Capt. Hugh Williamson Rowan, Chemical Warfare Service, from October 1, 1937.  
 Capt. Russell William Goodyear, Quartermaster Corps, from October 1, 1937.  
 Capt. Byron Turner Burt, Jr., Air Corps, from October 1, 1937.  
 Capt. Earle Gene Harper, Air Corps, from October 1, 1937.  
 Capt. Philip Gilstrap Bruton, Corps of Engineers, from October 1, 1937.  
 Capt. Eugene Joseph FitzGerald, Infantry, from October 1, 1937.

Capt. Edward Frederick French, Signal Corps, from October 6, 1937.  
 Capt. Lotha August Smith, Air Corps, from October 19, 1937.  
 Capt. Horace Leland Porter, Corps of Engineers, from October 22, 1937.  
 Capt. Arthur Leo Lavery, Coast Artillery Corps, from November 1, 1937.  
 Capt. Frank Marion Barrell, Quartermaster Corps, from November 1, 1937.  
 Capt. Paul Sutphin Edwards, Signal Corps, from November 1, 1937.  
 Capt. Franz Joseph Jonitz, Quartermaster Corps, from November 1, 1937.  
 Capt. William Valery Andrews, Air Corps, from November 1, 1937.  
 Capt. Stanton Higgins, Cavalry, from November 1, 1937.  
 Capt. Redding Francis Perry, Cavalry, from November 1, 1937.  
 Capt. Walter Arthur Metts, Jr., Field Artillery, from November 1, 1937.  
 Capt. Frank Camm, Field Artillery, from November 1, 1937.  
 Capt. Richard Oscar Bassett, Jr., Infantry, from November 1, 1937.  
 Capt. Percy Stuart Lowe, Coast Artillery Corps, from November 1, 1937.  
 Capt. Lewis Alonzo Murray, Corps of Engineers, from November 1, 1937.  
 Capt. John Alfred Gilman, Quartermaster Corps, from November 1, 1937.  
 Capt. John Edward Langley, Corps of Engineers, from November 1, 1937.  
 Capt. Lorenzo Dow Macy, Infantry, from November 1, 1937.

MEDICAL CORPS

*To be lieutenant colonels*

Maj. William Alexander Smith, Medical Corps, from September 1, 1937.  
 Maj. George Earl Hesner, Medical Corps, from September 1, 1937.  
 Maj. Edwin Leland Brackney, Medical Corps, from September 3, 1937.  
 Maj. Edward Jones Strickler, Medical Corps, from September 5, 1937.  
 Maj. Frank William Pinger, Medical Corps, from September 6, 1937.  
 Maj. Aubrey Kenna Brown, Medical Corps, from September 6, 1937.  
 Maj. Daniel Currie Campbell, Medical Corps, from September 6, 1937.  
 Maj. Neely Cornelius Mashburn, Medical Corps, from September 6, 1937.  
 Maj. Charles Booth Spruit, Medical Corps, from September 6, 1937.  
 Maj. John Shackelford Gibson, Medical Corps, from September 6, 1937.  
 Maj. John Dawson Roswell Woodworth, Medical Corps, from September 6, 1937.  
 Maj. Lucius Featherstone Wright, Medical Corps, from September 6, 1937.  
 Maj. Percy Daniel Moulton, Medical Corps, from September 6, 1937.  
 Maj. Herbert Hall Price, Medical Corps, from September 6, 1937.  
 Maj. William Elijah Moore Devers, Medical Corps, from September 6, 1937.  
 Maj. William Monroe White, Medical Corps, from September 6, 1937.  
 Maj. Jose Canellas Carballeira, Medical Corps, from September 6, 1937.  
 Maj. Samuel Elkan Brown, Medical Corps, from September 6, 1937.  
 Maj. Clyde Clifford Johnston, Medical Corps, from September 6, 1937.  
 Maj. Ernest Farris Harrison, Medical Corps, from September 6, 1937.

Maj. Albert Julius Treichler, Medical Corps, from September 6, 1937.

Maj. William Daniel Mueller, Medical Corps, from September 6, 1937.

Maj. Harry Ainsworth Clark, Medical Corps, from September 6, 1937.

Maj. Julius Girard Newgord, Medical Corps, from September 6, 1937.

Maj. Malcolm Cummings Grow, Medical Corps, from September 6, 1937.

Maj. Henry Mitchell Van Hook, Medical Corps, from September 6, 1937.

Maj. Silas Walter Williams, Medical Corps, from September 6, 1937.

Maj. Ross Bradley Bretz, Medical Corps, from September 6, 1937.

Maj. Clarence Clinton Harvey, Medical Corps, from September 6, 1937.

Maj. Robert Cornelius Murphy, Medical Corps, from September 6, 1937.

Maj. Clyde Danford Oatman, Medical Corps, from September 6, 1937.

Maj. Carroll Porteous Price, Medical Corps, from September 6, 1937.

Maj. Henry Charles Johannes, Medical Corps, from September 6, 1937.

Maj. Earl Hunter Perry, Medical Corps, from September 6, 1937.

Maj. Donald Ion Stanton, Medical Corps, from September 6, 1937.

Maj. Charles Beresford Callard, Medical Corps, from September 6, 1937.

Maj. James Sutton Brummette, Medical Corps, from September 6, 1937.

Maj. Joseph Hall Whiteley, Medical Corps, from September 6, 1937.

Maj. James Harvey Ashcraft, Medical Corps, from September 6, 1937.

Maj. Clyde McKay Beck, Medical Corps, from September 6, 1937.

Maj. William Clare Porter, Medical Corps, from September 6, 1937.

Maj. David Ap Myers, Medical Corps, from September 6, 1937.

Maj. James Bliss Owen, Medical Corps, from September 6, 1937.

Maj. Milo Benjamin Dunning, Medical Corps, from September 6, 1937.

Maj. Joseph Sherman Craig, Medical Corps, from September 6, 1937.

Maj. Richmond Favour, Jr., Medical Corps, from September 6, 1937.

Maj. Dennis William Sullivan, Medical Corps, from September 6, 1937.

Maj. Walter Midkiff Crandall, Medical Corps, from September 6, 1937.

Maj. John Michael Weiss, Medical Corps, from September 6, 1937.

Maj. Charles Arthur Bell, Medical Corps, from September 6, 1937.

Maj. Lincoln Frank Putnam, Medical Corps, from September 7, 1937.

Maj. Rufus Leroy Holt, Medical Corps, from September 9, 1937.

Maj. John DuBose Barnwell, Medical Corps, from September 16, 1937.

Maj. Everett LeCompte Cook, Medical Corps, from September 20, 1937.

Maj. Ralph Leslie Cudlipp, Medical Corps, from September 27, 1937.

Maj. Virgil Heath Cornell, Medical Corps, from September 28, 1937.

Maj. Gordon Adams Clapp, Medical Corps, from September 29, 1937.

Maj. Joe Harold St. John, Medical Corps, from September 29, 1937.

Maj. Theo Wallace O'Brien, Medical Corps, from October 1, 1937.

Maj. William Charles Munly, Medical Corps, from October 1, 1937.

Maj. Ebner Holmes Inmon, Medical Corps, from October 3, 1937, subject to examination required by law.

Maj. George William Rice, Medical Corps, from October 7, 1937.

Maj. Robert James Platt, Medical Corps, from October 13, 1937.

Maj. James Neal Williams, Medical Corps, from October 17, 1937.

Maj. Rollo Preston Bourbon, Medical Corps, from October 29, 1937.

Maj. Wesley Cintra Cox, Medical Corps, from October 30, 1937.

Maj. Floyd Vern Kilgore, Medical Corps, from October 30, 1937.

Maj. John Christopher Woodland, Medical Corps, from October 30, 1937.

Maj. Walter Leslie Perry, Medical Corps, from October 31, 1937.

Maj. Harvey Robinson Livesay, Medical Corps, from November 1, 1937.

Maj. Raymond Osborne Dart, Medical Corps, from November 3, 1937.

Maj. John Frank Lieberman, Medical Corps, from November 3, 1937.

Maj. Brooks Collins Grant, Medical Corps, from November 10, 1937.

Maj. William Bell Foster, Medical Corps, from November 17, 1937.

Maj. Chauncey Elmo Dovell, Medical Corps, from November 29, 1937.

*To be major*

Capt. Walter Steen Jensen, Medical Corps, from October 24, 1937.

*To be captains*

First Lt. Edward Alexander Cleve, Medical Corps, from September 17, 1937.

First Lt. Douglas Blair Kendrick, Jr., Medical Corps, from October 3, 1937.

First Lt. George Walter McCoy, Jr., Medical Corps, from October 10, 1937.

First Lt. James Clark Van Valin, Medical Corps, from October 12, 1937.

First Lt. William Francis Conway, Medical Corps, from October 23, 1937.

First Lt. Lucius George Thomas, Medical Corps, from November 15, 1937.

First Lt. Victor Robert Hirschmann, Medical Corps, from November 15, 1937.

First Lt. John William O'Donnell, Medical Corps, from November 20, 1937.

First Lt. Fred Howenstine Mowrey, Medical Corps, from December 1, 1937.

First Lt. Hubert Thaddeus Marshall, Medical Corps, from December 1, 1937.

First Lt. Robert Denton Smith, Medical Corps, from December 1, 1937.

First Lt. William Byrd Stryker, Medical Corps, from December 1, 1937.

First Lt. William Langford Spaulding, Medical Corps, from December 6, 1937.

DENTAL CORPS

*To be lieutenant colonels*

Maj. Thomas Minyard Page, Dental Corps, from September 9, 1937.

Maj. James Boyle Harrington, Dental Corps, from September 10, 1937.

Maj. Earle Robbins, Dental Corps, from September 10, 1937.

Maj. Roy Albert Stout, Dental Corps, from September 12, 1937.

Maj. Roy L. Bodine, Dental Corps, from September 13, 1937.

Maj. James Jay Weeks, Dental Corps, from September 15, 1937.

Maj. Thomas Joseph Cassidy, Dental Corps, from September 17, 1937.

Maj. Howard Austin Hale, Dental Corps, from September 18, 1937.

Maj. Walter Davis Vail, Dental Corps, from October 4, 1937.

Maj. Clement John Gaynor, Dental Corps, from October 4, 1937.

Maj. Walter Andrew Rose, Dental Corps, from October 4, 1937.

Maj. Eugene Alonzo Smith, Dental Corps, from October 4, 1937.

Maj. Alvin Ellsworth Anthony, Dental Corps, from October 4, 1937.

Maj. William Burns Caldwell, Dental Corps, from October 4, 1937.

Maj. Lewis Walter Maly, Dental Corps, from October 4, 1937.

Maj. Glover Johns, Dental Corps, from October 4, 1937.

Maj. Leslie Dean Baskin, Dental Corps, from October 4, 1937.

Maj. Dell Stuart Gray, Dental Corps, from October 4, 1937.

Maj. William B. Stewart, Dental Corps, from October 4, 1937.

Maj. Roy Raymond Newman, Dental Corps, from October 4, 1937.

Maj. Boyd Lee Smith, Dental Corps, from October 4, 1937.

Maj. Avery Giles Holmes, Dental Corps, from October 4, 1937.

Maj. George Robert Kennebeck, Dental Corps, from October 4, 1937.

Maj. Horace Ray Finley, Dental Corps, from October 4, 1937.

Maj. Joseph Lyon Boyd, Dental Corps, from October 4, 1937.

Maj. Richard Foster Thompson, Dental Corps, from October 4, 1937.

Maj. Edwin St. Clair Wren, Dental Corps, from October 4, 1937.

Maj. William Swann Shuttleworth, Dental Corps, from October 19, 1937.

*To be captains*

First Lt. Arthur Nicholas Kracht, Dental Corps, from August 27, 1937.

First Lt. George Thomas Perkins, Dental Corps, from October 14, 1937.

First Lt. Roy L. Bodine, Jr., Dental Corps, from October 21, 1937.

First Lt. George Farrer Jeffcott, Dental Corps, from November 17, 1937.

VETERINARY CORPS

*To be colonels*

Lt. Col. George Henry Koon, Veterinary Corps, from September 27, 1937.

Lt. Col. Daniel Buchter Leininger, Veterinary Corps, from September 29, 1937.

*To be lieutenant colonels*

Maj. Francois Hue Kari Reynolds, Veterinary Corps, from September 3, 1937.

Maj. Sawyer Adelbert Grover, Veterinary Corps, from September 10, 1937.

Maj. Charles Sears Williams, Veterinary Corps, from September 10, 1937.

Maj. Fred W. Shinn, Veterinary Corps, from September 10, 1937.

Maj. Philip Henry Riedel, Veterinary Corps, from September 10, 1937.

Maj. Irby Rheuel Pollard, Veterinary Corps, from September 10, 1937.

Maj. Frank Caldwell Hershberger, Veterinary Corps, from September 10, 1937.

Maj. Clifford Eugene Pickering, Veterinary Corps, from September 13, 1937.

Maj. Frank Benjamin Steinkolk, Veterinary Corps, from September 13, 1937.

Maj. Raymond Randall, Veterinary Corps, from September 14, 1937.

Maj. Seth C. Dildine, Veterinary Corps, from September 16, 1937.

Maj. Joseph Hiram Dornblaser, Veterinary Corps, from September 16, 1937.

Maj. George Leslie Caldwell, Veterinary Corps, from September 18, 1937.

Maj. Jacob Landes Hartman, Veterinary Corps, from September 18, 1937.

Maj. John Harold Kintner, Veterinary Corps, from September 18, 1937.

Maj. Samuel George Kielsmeier, Veterinary Corps, from September 21, 1937.

Maj. Peter Thomas Carpenter, Veterinary Corps, from September 22, 1937.

Maj. Oness Harry Dixon, Jr., Veterinary Corps, from September 26, 1937.

Maj. John Wesley Miner, Veterinary Corps, from September 29, 1937.

Maj. George Jacob Rife, Veterinary Corps, from November 27, 1937.

*To be captains*

First Lt. James Bernhard Nichols, Veterinary Corps, from October 15, 1937.

First Lt. Albert Arthur Roby, Jr., Veterinary Corps, from November 17, 1937.

First Lt. Daniel Stevens Stevenson, Veterinary Corps, from December 1, 1937.

First Lt. Ray Swartley Hunsberger, Veterinary Corps, from December 1, 1937.

First Lt. William Francis Collins, Veterinary Corps, from December 1, 1937.

MEDICAL ADMINISTRATIVE CORPS

*To be captain*

First Lt. Charles Lawrence Driscoll, Medical Administrative Corps, from December 3, 1937.

CHAPLAINS

*To be chaplains with the rank of lieutenant colonel*

Chaplain (Maj.) John Ralph Wright, United States Army, from September 18, 1937.

Chaplain (Maj.) Harry Carleton Fraser, United States Army, from September 18, 1937.

Chaplain (Maj.) John Oscar Lindquist, United States Army, from October 10, 1937.

Chaplain (Maj.) Frank Meredith Thompson, United States Army, from October 10, 1937.

Chaplain (Maj.) Walter B. Zimmerman, United States Army, from October 10, 1937.

Chaplain (Maj.) Joseph Burt Webster, United States Army, from October 11, 1937.

Chaplain (Maj.) Frank Connors Rideout, United States Army, from October 23, 1937.

Chaplain (Maj.) Alfred Cookman Oliver, Jr., United States Army, from October 24, 1937.

Chaplain (Maj.) John Hall, United States Army, from November 16, 1937.

Chaplain (Maj.) Edward Lewis Trett, United States Army, from November 27, 1937.

Chaplain (Maj.) Charles Coburn Merrill, United States Army, from November 28, 1937.

*To be chaplain with the rank of major*

Chaplain (Capt.) Edward Robert Martin, United States Army, from October 5, 1937.

*To be chaplain with the rank of captain*

Chaplain (First Lt.) Ralph Emmerson McCaskill, United States Army, from September 1, 1937.

PROMOTION IN THE PHILIPPINE SCOUTS  
TO BE LIEUTENANT COLONEL

Maj. Rafael Larrosa Garcia, Philippine Scouts, from October 6, 1937.

POSTMASTERS

ALABAMA

Mildred A. Ray to be postmaster at Waterloo, Ala. Office became Presidential July 1, 1937.

ARIZONA

John J. Newell to be postmaster at Naco, Ariz. Office became Presidential July 1, 1937.

William A. Davis to be postmaster at Ruby, Ariz. Office became Presidential July 1, 1937.

ARKANSAS

Lee Rea to be postmaster at Caraway, Ark. Office became Presidential July 1, 1937.

Samuel K. Purdy to be postmaster at Carthage, Ark. Office became Presidential July 1, 1937.

William R. Beaty to be postmaster at Emmet, Ark. Office became Presidential July 1, 1937.

Samuel C. Scott to be postmaster at Wheatley, Ark. Office became Presidential July 1, 1937.

CALIFORNIA

William D. Tracy to be postmaster at Buttonwillow, Calif. Office became Presidential July 1, 1937.

Aileen L. Devine to be postmaster at Calpine, Calif. Office became Presidential July 1, 1937.

Agnes M. Falck to be postmaster at Del Paso Heights, Calif. Office became Presidential July 1, 1937.

Carl R. Sensenbaugh to be postmaster at Empire, Calif. Office became Presidential July 1, 1937.

Charles M. Rice to be postmaster at Hamilton City, Calif. Office became Presidential July 1, 1937.

Emelia S. Schutt to be postmaster at Lafayette, Calif. Office became Presidential July 1, 1937.

Marie J. Smoot to be postmaster at Mendota, Calif. Office became Presidential July 1, 1937.

Elaine Todd Davis to be postmaster at Mentone, Calif. Office became Presidential July 1, 1937.

Floyd M. Filson to be postmaster at Tennant, Calif. Office became Presidential July 1, 1937.

COLORADO

Fred A. Eickhoff to be postmaster at Elbert, Colo. Office became Presidential July 1, 1937.

Ethel E. Burrell to be postmaster at Fraser, Colo. Office became Presidential July 1, 1937.

Herman W. Neuhaus to be postmaster at Woodmen, Colo., in place of J. L. Allison, resigned.

CONNECTICUT

Thomas P. Smith to be postmaster at Brooklyn, Conn. Office became Presidential July 1, 1937.

Harold M. Kenney to be postmaster at Mechanicsville, Conn. Office became Presidential July 1, 1937.

FLORIDA

Harry P. Herbert to be postmaster at Immokalee, Fla. Office became Presidential July 1, 1937.

Flora Agnes Labors to be postmaster at Laurelhill, Fla., in place of J. L. Richbourg, removed.

Thomas F. Connell to be postmaster at Weirsdale, Fla. Office became Presidential July 1, 1937.

GEORGIA

Luther P. Goolsby to be postmaster at Carlton, Ga. Office became Presidential July 1, 1937.

Bessie E. Meeks to be postmaster at Kite, Ga. Office became Presidential July 1, 1937.

Elliott Redding to be postmaster at Lake Park, Ga. Office became Presidential July 1, 1937.

Odessa M. Shepherd to be postmaster at McIntyre, Ga. Office became Presidential July 1, 1937.

Don W. Pettitt to be postmaster at Nelson, Ga. Office became Presidential July 1, 1937.

May M. Walker to be postmaster at Patterson, Ga. Office became Presidential July 1, 1937.

Estelle C. Tapp to be postmaster at Powder Springs, Ga. Office became Presidential July 1, 1937.

Floy F. Barnett to be postmaster at Resaca, Ga. Office became Presidential July 1, 1937.

Alice V. Ethridge to be postmaster at Sparks, Ga. Office became Presidential July 1, 1937.

HAWAII

Isaac D. Iaea, Jr., to be postmaster at Wailuku, Hawaii, in place of A. F. Costa. Incumbent's commission expired January 7, 1936.

IDAHO

Ruth E. Lindow to be postmaster at Avery, Idaho, in place of E. W. Myers, resigned.

Maude M. Howe to be postmaster at Donnelly, Idaho. Office became Presidential July 1, 1937.

Bessie B. Todd to be postmaster at Melba, Idaho. Office became Presidential July 1, 1937.

Logan M. Bowman to be postmaster at Payette, Idaho, in place of A. E. White, transferred.

Edwin N. Kearsley to be postmaster at Victor, Idaho. Office became Presidential July 1, 1937.

ILLINOIS

Melvin Manecke to be postmaster at Argenta, Ill. Office became Presidential July 1, 1937.

Gerd Willms to be postmaster at Crescent City, Ill. Office became Presidential July 1, 1937.

Alice D. Condit to be postmaster at Elsay, Ill. Office became Presidential July 1, 1937.

Helen H. Wiebers to be postmaster at Emden, Ill. Office became Presidential July 1, 1937.

Warthen K. Kimball to be postmaster at Gurnee, Ill. Office became Presidential July 1, 1937.

Leah Pearl York to be postmaster at Hartford, Ill. Office became Presidential July 1, 1937.

Keith K. Angle to be postmaster at Hillview, Ill., in place of C. C. Angle, removed.

Urban A. Tempel to be postmaster at Ivesdale, Ill. Office became Presidential July 1, 1937.

Charles T. Gilbert to be postmaster at New Canton, Ill. Office became Presidential July 1, 1937.

Winifred G. Whitham to be postmaster at Ontarioville, Ill. Office became Presidential July 1, 1937.

Hazel E. Strobel to be postmaster at Ransom, Ill. Office became Presidential July 1, 1937.

Mollie E. Patterson to be postmaster at Waltonville, Ill. Office became Presidential July 1, 1937.

Martha H. Prevo to be postmaster at West Union, Ill. Office became Presidential July 1, 1937.

INDIANA

Marjorie I. Stevens to be postmaster at Cynthiana, Ind. Office became Presidential July 1, 1937.

James J. Littrell to be postmaster at Elkhart, Ind., in place of D. M. Hoover. Incumbent's commission expired March 22, 1936.

Gene Harris to be postmaster at Fountain City, Ind. Office became Presidential July 1, 1937.

Jane Agnes Quinlan to be postmaster at Holy Cross, Ind. Office became Presidential July 1, 1937.

William H. Menaugh to be postmaster at Osceola, Ind. Office became Presidential July 1, 1937.

Oscar L. Philipps to be postmaster at Santa Claus, Ind. Office became Presidential July 1, 1937.

IOWA

Helen B. Rutledge to be postmaster at Blairsburg, Iowa, in place of J. C. Erton, resigned.

Lewis M. Adams to be postmaster at Buffalo, Iowa. Office became Presidential July 1, 1937.

Achsa F. Lookabill to be postmaster at Hastings, Iowa. Office became Presidential July 1, 1937.

Ida D. McCauley to be postmaster at Lucas, Iowa. Office became Presidential July 1, 1937.

John F. Muhl to be postmaster at Miles, Iowa. Office became Presidential July 1, 1937.

Vivian A. Meredith to be postmaster at Norway, Iowa. Office became Presidential July 1, 1937.

Martin S. Copenhaver to be postmaster at Ralston, Iowa. Office became Presidential July 1, 1937.

Viola L. Eaton to be postmaster at Woden, Iowa. Office became Presidential July 1, 1937.

## KANSAS

Ivan R. Cordill to be postmaster at Bern, Kans. Office became Presidential July 1, 1937.

Dorothy H. Claassen to be postmaster at Bethel College, Kans. Office became Presidential July 1, 1937.

Clarence E. Yockey to be postmaster at Erie, Kans., in place of H. E. Dunham, removed.

Orval B. Cantrill to be postmaster at Harveyville, Kans. Office became Presidential July 1, 1937.

Charles Dean Ross to be postmaster at Pawnee Rock, Kans. Office became Presidential July 1, 1937.

## KENTUCKY

Mary E. Chaudoin to be postmaster at Buffalo, Ky. Office became Presidential July 1, 1937.

Robert Bailey Huddleston to be postmaster at Fulton, Ky., in place of G. M. Roach, deceased.

James T. Maher to be postmaster at Independence, Ky. Office became Presidential July 1, 1937.

Pearl Parsley to be postmaster at Inez, Ky. Office became Presidential July 1, 1937.

Hugh A. Reynolds to be postmaster at Junction City, Ky. Office became Presidential July 1, 1937.

Dora Mae Miller to be postmaster at Magnolia, Ky. Office became Presidential July 1, 1937.

Clarence C. Rees to be postmaster at Mays Lick, Ky. Office became Presidential July 1, 1937.

## LOUISIANA

Minnie M. Baldwin to be postmaster at Bernice, La., in place of M. M. Baldwin. Incumbent's commission expired April 5, 1936.

Milton E. Kidd to be postmaster at Choudrant, La. Office became Presidential July 1, 1937.

John A. Moody to be postmaster at Cotton Valley, La., in place of J. A. Moody. Incumbent's commission expired May 3, 1936.

Lubin Mire to be postmaster at Cut Off, La. Office became Presidential July 1, 1937.

Thera N. Stovall to be postmaster at Dodson, La. Office became Presidential July 1, 1937.

Clifford O. Williams to be postmaster at Good Pine, La. Office became Presidential July 1, 1937.

Azalee W. Nelson to be postmaster at Haughton, La. Office became Presidential July 1, 1937.

Claud Jones to be postmaster at Longleaf, La. Office became Presidential July 1, 1937.

Alfred L. Dupont to be postmaster at Simmesport, La. Office became Presidential July 1, 1937.

Beckie D. Bradford to be postmaster at Tullos, La. Office became Presidential July 1, 1937.

Pierre F. Morein to be postmaster at Ville Platte, La., in place of Avenant Manuel. Incumbent's commission expired April 5, 1936.

## MAINE

Henry L. Holden to be postmaster at Jackman, Maine. Office became Presidential July 1, 1937.

John R. Walsh to be postmaster at Kennebunk Beach, Maine. Office became Presidential July 1, 1937.

Garfield John Jones to be postmaster at Millinocket, Maine, in place of H. C. Gates. Incumbent's commission expired March 10, 1936.

## MARYLAND

Patrick E. Conroy to be postmaster at Barton, Md. Office became Presidential July 1, 1937.

James A. Hayman to be postmaster at Fruitland, Md. Office became Presidential July 1, 1937.

Henry F. Himburg to be postmaster at Mayo, Md. Office became Presidential July 1, 1937.

Wylie L. Donaldson to be postmaster at Odenton, Md. Office became Presidential July 1, 1937.

Cecil E. Trinkaus to be postmaster at Oella, Md. Office became Presidential July 1, 1937.

Jennings R. Richards to be postmaster at Westover, Md. Office became Presidential July 1, 1937.

## MASSACHUSETTS

Joseph P. Bartley to be postmaster at Barrowsville, Mass. Office became Presidential July 1, 1937.

Josephine M. Connell to be postmaster at Forge Village, Mass. Office became Presidential July 1, 1937.

Josephine E. Fietz to be postmaster at Islington, Mass. Office became Presidential July 1, 1937.

Agnes T. Doyle to be postmaster at Lynnfield, Mass. Office became Presidential July 1, 1937.

Joseph F. Totman to be postmaster at Norwell, Mass. Office became Presidential July 1, 1937.

Rosella Webb to be postmaster at South Lincoln, Mass. Office became Presidential July 1, 1937.

Mary M. Hill to be postmaster at West Groton, Mass. Office became Presidential July 1, 1937.

## MICHIGAN

Gabriel J. Chopp to be postmaster at Ahmeek, Mich. Office became Presidential July 1, 1937.

James D. George to be postmaster at Crystal, Mich., in place of H. J. Fisher, resigned.

Lawrence Tobey to be postmaster at Free Soil, Mich. Office became Presidential July 1, 1937.

Fred O. Grover to be postmaster at Middleton, Mich. Office became Presidential July 1, 1937.

Ferdinand F. Siegmund to be postmaster at New Buffalo, Mich., in place of A. H. Crosby, removed.

Elwin E. Ritchie to be postmaster at New Troy, Mich. Office became Presidential July 1, 1937.

John O. Grettenberger to be postmaster at Okemos, Mich. Office became Presidential July 1, 1937.

Gordon D. Dafoe to be postmaster at Owendale, Mich. Office became Presidential July 1, 1937.

William H. Riecki to be postmaster at Palmer, Mich. Office became Presidential July 1, 1937.

Matti Halmet Oja to be postmaster at Pelkie, Mich. Office became Presidential July 1, 1937.

Erick W. Wallbom to be postmaster at Trout Lake, Mich. Office became Presidential July 1, 1937.

Joseph D. Norris to be postmaster at Turner, Mich. Office became Presidential July 1, 1937.

August V. Jacober to be postmaster at Waterford, Mich. Office became Presidential July 1, 1937.

## MINNESOTA

Cora E. Cook to be postmaster at Chandler, Minn. Office became Presidential July 1, 1937.

Nettie A. Terrell to be postmaster at Elysian, Minn. Office became Presidential July 1, 1936.

Anna E. Smith to be postmaster at Foreston, Minn. Office became Presidential July 1, 1937.

George E. Roche to be postmaster at Garfield, Minn. Office became Presidential July 1, 1937.

Robert R. Green to be postmaster at Medford, Minn. Office became Presidential July 1, 1937.

Claire M. Peterson to be postmaster at Stanchfield, Minn. Office became Presidential July 1, 1937.

Lura V. Frahm to be postmaster at Triumph, Minn., in place of J. E. Brockman. Incumbent's commission expired April 12, 1936.

## MISSISSIPPI

Walter Darracott to be postmaster at Aberdeen, Miss., in place of J. K. Baker. Incumbent's commission expired February 17, 1936.

Mildred A. Ellis Fisher to be postmaster at Bucatunna, Miss. Office became Presidential July 1, 1937.

Anne D. Powers to be postmaster at Cary, Miss. Office became Presidential July 1, 1937.

Clarence L. Fleming to be postmaster at Crandall, Miss. Office became Presidential July 1, 1937.

William B. Potts to be postmaster at Crawford, Miss. Office became Presidential July 1, 1937.

Ida Koen to be postmaster at Foxworth, Miss. Office became Presidential July 1, 1937.

Lee E. Rials to be postmaster at Jayess, Miss. Office became Presidential July 1, 1937.

Sallie C. Walker to be postmaster at Lauderdale, Miss. Office became Presidential July 1, 1937.

William Bullock to be postmaster at Natchez, Miss., in place of J. R. Oliver, removed.

Bonnie H. Curd to be postmaster at Pace, Miss. Office became Presidential July 1, 1937.

Marion W. Thornton to be postmaster at Pachuta, Miss. Office became Presidential July 1, 1937.

Miss Archie Patterson to be postmaster at Pinola, Miss. Office became Presidential July 1, 1937.

Thelma Zimmerman Landry to be postmaster at Waveland, Miss., in place of G. T. Herlihy, deceased.

## MISSOURI

Villa R. Harris to be postmaster at Annapolis, Mo. Office became Presidential July 1, 1937.

John Fetters, Jr., to be postmaster at Baring, Mo. Office became Presidential July 1, 1937.

Marion T. Clymore to be postmaster at Urbana, Mo. Office became Presidential July 1, 1937.

## MONTANA

Margaret M. Westlund to be postmaster at Frazer, Mont. Office became Presidential July 1, 1937.

Cletus J. Walsh to be postmaster at Polytechnic, Mont. Office became Presidential July 1, 1937.

## NEBRASKA

Edith F. Francis to be postmaster at Belden, Nebr. Office became Presidential July 1, 1937.

## NEW HAMPSHIRE

Charles B. Weeks to be postmaster at Chocorua, N. H. Office became Presidential July 1, 1937.

Carroll N. Young to be postmaster at West Stewartstown, N. H. Office became Presidential July 1, 1937.

## NEW JERSEY

Frances E. Schmidt to be postmaster at Emerson, N. J. Office became Presidential July 1, 1937.

Charles Leon Ware to be postmaster at Glassboro, N. J., in place of John Carey, removed.

Ernest B. Helmrich to be postmaster at Hopatcong, N. J. Office became Presidential July 1, 1937.

Edith B. Brooks to be postmaster at Kingston, N. J. Office became Presidential July 1, 1937.

## NEW YORK

Clayton F. Smith to be postmaster at Blue Mountain Lake, N. Y. Office became Presidential July 1, 1937.

Mary Young to be postmaster at Cornwall Landing, N. Y. Office became Presidential July 1, 1937.

Joseph C. English to be postmaster at Depew, N. Y., in place of E. M. Clemons, deceased.

William Burns Kirk to be postmaster at De Witt, N. Y. Office became Presidential July 1, 1937.

Edward M. Youmans to be postmaster at Eagle Bay, N. Y. Office became Presidential July 1, 1937.

Agnes H. Brink to be postmaster at Endwell, N. Y. Office became Presidential July 1, 1937.

Hans C. Hansen to be postmaster at Fishers Island, N. Y., in place of H. C. Hansen. Incumbent's commission expired January 13, 1935.

Henry J. Myer to be postmaster at Haines Falls, N. Y., in place of Herbert O'Hara, removed.

John H. Joyner to be postmaster at White Sulphur Springs, N. Y. Office became Presidential July 1, 1937.

Frances H. Courtney to be postmaster at Wilmington, N. Y. Office became Presidential July 1, 1937.

## NORTH CAROLINA

Cornelius H. Julian to be postmaster at Franklinville, N. C. Office became Presidential July 1, 1937.

August D. Wessell to be postmaster at Hallsboro, N. C. Office became Presidential July 1, 1937.

William W. Hampton to be postmaster at Leaksville, N. C., in place of J. E. Patterson, deceased.

Esther Aycock Davenport to be postmaster at Pantego, N. C. Office became Presidential July 1, 1937.

## OHIO

Cora M. Burns to be postmaster at Beloit, Ohio. Office became Presidential July 1, 1937.

Ethel A. Compton to be postmaster at Blacklick, Ohio. Office became Presidential July 1, 1937.

Martin M. Helwick to be postmaster at Bolivar, Ohio. Office became Presidential July 1, 1937.

John Maag to be postmaster at Foster, Ohio. Office became Presidential July 1, 1937.

Robert L. Stygler to be postmaster at Gahanna, Ohio. Office became Presidential July 1, 1937.

Howard C. Huhn to be postmaster at Hamden, Ohio. Office became Presidential July 1, 1937.

Carson D. Faber to be postmaster at Jeromesville, Ohio. Office became Presidential July 1, 1937.

Henry W. Myers, to be postmaster at Luckey, Ohio. Office became Presidential July 1, 1937.

Harry G. Benjamin to be postmaster at Mount Blanchard, Ohio. Office became Presidential July 1, 1937.

George R. Daubenmire to be postmaster at Pleasantville, Ohio. Office became Presidential July 1, 1937.

Lema M. Collins, to be postmaster at Proctorville, Ohio. Office became Presidential July 1, 1937.

Ralph W. Detrick to be postmaster at Quincy, Ohio. Office became Presidential July 1, 1937.

Mable L. Sloan to be postmaster at Rushsylvania, Ohio. Office became Presidential July 1, 1937.

Winifred Hine to be postmaster at Tallmadge, Ohio. Office became Presidential July 1, 1937.

## OKLAHOMA

Cara M. Masters to be postmaster at Cardin, Okla. Office became Presidential July 1, 1937.

Ruth I. Corbin to be postmaster at Delaware, Okla. Office became Presidential July 1, 1937.

James A. Deaton to be postmaster at Howe, Okla. Office became Presidential July 1, 1937.

Vivian P. Waddill to be postmaster at Milburn, Okla. Office became Presidential July 1, 1937.

## PENNSYLVANIA

Orabel Rarick to be postmaster at Barnesville, Pa. Office became Presidential July 1, 1937.

Hazel E. Hetrick to be postmaster at Beavertown, Pa. Office became Presidential July 1, 1937.

Margaret A. Helfrich to be postmaster at Bruin, Pa. Office became Presidential July 1, 1937.

George H. Houck to be postmaster at Cairnbrook, Pa., in place of G. H. Houck. Incumbent's commission expired May 10, 1936.

Marie Kolasa to be postmaster at Clarence, Pa. Office became Presidential July 1, 1937.

Leonard E. Devilbiss to be postmaster at Fawn Grove, Pa. Office became Presidential July 1, 1937.

Anna Hullihan to be postmaster at Gilberton, Pa. Office became Presidential July 1, 1937.

Joseph J. Myers to be postmaster at Irvine, Pa. Office became Presidential July 1, 1937.

William Killion to be postmaster at Irvona, Pa. Office became Presidential July 1, 1937.

Thomas R. Lawler to be postmaster at Jessup, Pa., in place of M. J. Pitoniak, removed.

Howard E. Bixler to be postmaster at Manchester, Pa. Office became Presidential July 1, 1937.

Lottie Tueche to be postmaster at New Eagle, Pa. Office became Presidential July 1, 1937.

Frank O'Neill to be postmaster at St. Marys, Pa., in place of B. E. Smith, deceased.

Frank G. Christopher to be postmaster at Smithton, Pa., in place of R. R. Lynn, resigned.

Mary E. Cramer to be postmaster at South Connellsville, Pa., in place of H. J. McCormick. Incumbent's commission expired January 9, 1935.

Harry H. Howell to be postmaster at Union Dale, Pa. Office became Presidential July 1, 1937.

Sadie L. Brunner to be postmaster at Worcester, Pa. Office became Presidential July 1, 1937.

Margaret E. Malley to be postmaster at Wyncote, Pa., in place of A. H. Washburn. Incumbent's commission expired February 25, 1935.

#### PUERTO RICO

Jose G. de Iturrondo to be postmaster at Carolina, P. R. Office became Presidential July 1, 1937.

Sergio A. Valentine to be postmaster at Catano, P. R. Office became Presidential July 1, 1937.

Julia Chacon de Vidal to be postmaster at Ensenada, P. R., in place of A. R. de Graciani, deceased.

Rafael Castaneda to be postmaster at Humacao, P. R., in place of Jose Carrera, deceased.

Francisca Rodriguez to be postmaster at Juana Diez, P. R. Office became Presidential July 1, 1937.

Miguel A. Franco Soto to be postmaster at Sabana Grande, P. R. Office became Presidential July 1, 1937.

#### SOUTH CAROLINA

John E. Wigington to be postmaster at Anderson, S. C., in place of P. C. Crayton, resigned.

Fred L. Armstrong to be postmaster at Bath, S. C. Office became Presidential July 1, 1937.

Edward M. Kennedy to be postmaster at Blackstock, S. C. Office became Presidential July 1, 1937.

Gordon S. Beard to be postmaster at Myrtle Beach, S. C., in place of G. S. Beard. Incumbent's commission expired June 15, 1936.

Gordon W. Morris to be postmaster at Society Hill, S. C. Office became Presidential July 1, 1937.

Mollie S. West to be postmaster at Tucapau, S. C. Office became Presidential July 1, 1937.

#### SOUTH DAKOTA

Henry W. Landwehr to be postmaster at Winfred, S. Dak. Office became Presidential July 1, 1937.

#### TENNESSEE

Charles L. Wells to be postmaster at Byrdstown, Tenn. Office became Presidential July 1, 1937.

William H. Fox to be postmaster at Graysville, Tenn. Office became Presidential July 1, 1937.

Roy B. King to be postmaster at Madison College, Tenn. Office became Presidential July 1, 1937.

Leonard F. Robinette to be postmaster at Mosheim, Tenn. Office became Presidential July 1, 1937.

John Crittenden Pope to be postmaster at Springfield, Tenn., in place of L. F. Bell, deceased.

James K. St. Clair to be postmaster at White Bluff, Tenn. Office became Presidential July 1, 1937.

#### TEXAS

Wenzel P. Skarda to be postmaster at Bloomington, Tex. Office became Presidential July 1, 1937.

Sallie C. Milburn to be postmaster at Bryson, Tex. Office became Presidential July 1, 1937.

Henry Allen Jones to be postmaster at Cayuga, Tex. Office became Presidential July 1, 1937.

John S. Cochran to be postmaster at Coahoma, Tex. Office became Presidential July 1, 1937.

Robert Hugh McClanahan to be postmaster at Coldspring, Tex. Office became Presidential July 1, 1937.

Lee M. Feagin to be postmaster at Colmesneil, Tex. Office became Presidential July 1, 1937.

Mabel Cheek to be postmaster at Groves, Tex. Office became Presidential July 1, 1937.

Harley Arnold to be postmaster at Maud, Tex. Office became Presidential July 1, 1937.

Joe H. Victory to be postmaster at New Willard, Tex. Office became Presidential July 1, 1937.

Merrill L. Carlton to be postmaster at Ringgold, Tex. Office became Presidential July 1, 1937.

Cora Anderson to be postmaster at South Houston, Tex. Office became Presidential July 1, 1937.

Simon D. Hay to be postmaster at Sudan, Tex., in place of W. H. Lyle, resigned.

James R. Oliver to be postmaster at Wells, Tex. Office became Presidential July 1, 1937.

Laura A. Bruening to be postmaster at Westhoff, Tex. Office became Presidential July 1, 1937.

#### UTAH

Reuben J. Peterson to be postmaster at Santaquin, Utah. Office became Presidential July 1, 1937.

#### VERMONT

Murray K. Paris to be postmaster at Lyndon, Vt. Office became Presidential July 1, 1937.

Adelbert G. Dudley to be postmaster at Shoreham, Vt. Office became Presidential July 1, 1937.

#### VIRGINIA

Edward L. Willis to be postmaster at Belle Haven, Va. Office became Presidential July 1, 1937.

Lewis M. Rayburn to be postmaster at Bonny Blue, Va. Office became Presidential July 1, 1937.

Daniel V. Richmond to be postmaster at Ewing, Va. Office became Presidential July 1, 1937.

Gerdena S. Pettit to be postmaster at Fredericks Hall, Va. Office became Presidential July 1, 1937.

Ireland M. Baker to be postmaster at Haysi, Va. Office became Presidential July 1, 1937.

Ruth H. Underwood to be postmaster at Meadows of Dan, Va. Office became Presidential July 1, 1937.

Marion B. Harvey to be postmaster at Roseland, Va. Office became Presidential July 1, 1937.

Edna E. Dudley to be postmaster at West Graham, Va. Office became Presidential July 1, 1937.

John S. Hinegardner to be postmaster at Weyers Cave, Va. Office became Presidential July 1, 1937.

Marguerite Alden Walker to be postmaster at Woodberry Forest, Va. Office became Presidential July 1, 1937.

#### WASHINGTON

Winifred L. Killion to be postmaster at Bryn Mawr, Wash. Office became Presidential July 1, 1937.

Mable R. Clothier to be postmaster at Burien, Wash. Office became Presidential July 1, 1937.

Ira A. Moore to be postmaster at Greenacres, Wash. Office became Presidential July 1, 1937.

Lillian Brain to be postmaster at Thorp, Wash. Office became Presidential July 1, 1937.

#### WEST VIRGINIA

Edwin Caperton to be postmaster at Alloy, W. Va. Office became Presidential July 1, 1937.

William H. Hilborn to be postmaster at Beverly, W. Va. Office became Presidential July 1, 1937.

Anna S. Been to be postmaster at Camden on Gauley, W. Va. Office became Presidential July 1, 1937.

Blanche L. O'Dell to be postmaster at Hastings, W. Va. Office became Presidential July 1, 1937.

George W. Kilmer to be postmaster at Hedgesville, W. Va. Office became Presidential July 1, 1937.

George L. Carlisle to be postmaster at Hillsboro, W. Va. Office became Presidential July 1, 1937.

Kerth Nottingham to be postmaster at Marlinton, W. Va., in place of E. G. Herold, deceased.

Nell Bennett Wolford to be postmaster at Pickens, W. Va. Office became Presidential July 1, 1937.

George L. Wilcoxon to be postmaster at Tams, W. Va. Office became Presidential July 1, 1937.

Merle G. Raab to be postmaster at Triadelphia, W. Va. Office became Presidential July 1, 1937.

Myrtle W. Orndorff to be postmaster at Wardensville, W. Va. Office became Presidential July 1, 1937.

Thelma P. Forbes to be postmaster at West Liberty, W. Va. Office became Presidential July 1, 1937.

#### WISCONSIN

Haylor G. Koziczowski to be postmaster at Amherst Junction, Wis. Office became Presidential July 1, 1937.

Archie L. Foley to be postmaster at Dalton, Wis. Office became Presidential July 1, 1937.

Kenneth E. Whistler to be postmaster at Downing, Wis. Office became Presidential July 1, 1937.

Lester H. Olsen to be postmaster at Egg Harbor, Wis. Office became Presidential July 1, 1936.

Winfield A. Rogers to be postmaster at Ellison Bay, Wis. Office became Presidential July 1, 1937.

George H. Reinders to be postmaster at Elm Grove, Wis. Office became Presidential July 1, 1937.

Ludy J. Drolson to be postmaster at Lake Nebagamon, Wis., in place of E. L. Persons, resigned.

Charles D. Cross to be postmaster at Larsen, Wis. Office became Presidential July 1, 1937.

Jennie Ruid to be postmaster at Loretta, Wis. Office became Presidential July 1, 1937.

#### WYOMING

Eva I. Fleenor to be postmaster at Fort Laramie, Wyo. Office became Presidential July 1, 1937.

Richard M. Turner to be postmaster at Frontier, Wyo. Office became Presidential July 1, 1937.

Ina E. Gentry to be postmaster at Lance Creek, Wyo. Office became Presidential July 1, 1937.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate November 19 (legislative day of November 16), 1937*

##### FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Maurice E. Gilmore to be regional director, region I.

Robert A. Radford to be regional director, region IV.

Claude C. Hockey to be regional director, region VII.

##### WORKS PROGRESS ADMINISTRATION

Robert J. Dill, of Florida, to be State administrator in the Works Progress Administration for Florida.

## HOUSE OF REPRESENTATIVES

FRIDAY, NOVEMBER 19, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Spera Montgomery, D. D., offered the following prayer:

We thank Thee, our Father in Heaven, that Thou hast made it easy to believe in Thy love and mercy. We unveil the cross and behold divine love struggling for expression. Do Thou increase the power of our faith and trust. We are fashioned and shaped by the things we love and serve. Somewhere in the secret of every soul is the hidden gleam. O kindle it anew that it may flame forth into better lives. How beautiful upon the mountain are the feet of Him that bringeth good tidings, that publisheth peace. Blessed Lord God, whatever breeds bitter things and hardens the human heart, wherever poison stalks in human veins, O Son of Man, come with all Thy quickening power and show Thyself as Lord over all. In Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DIES. Mr. Speaker, I ask unanimous consent that after the disposition of the business on the Speaker's table and the special orders of the day I may proceed for 30 minutes on the wage and hour bill.

The SPEAKER. The gentleman from Texas asks unanimous consent that at the conclusion of the remarks of the gentleman from Texas, Mr. LUTHER A. JOHNSON, he may address the House for 30 minutes. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent that after the special orders heretofore granted I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I send a joint resolution to the Clerk's desk, and ask for its immediate consideration.

The SPEAKER. The gentleman from Wisconsin asks for the immediate consideration of a joint resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved, etc., That a state of war now exists between China and Japan; and be it further*

*Resolved, That the President of the United States be apprized of that fact.*

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. LUTHER A. JOHNSON. Mr. Speaker, I object.

#### EXTENSION OF REMARKS

Mr. SHANNON. Mr. Speaker, on yesterday the House granted me unanimous consent to extend my remarks and to include therein a sermon delivered by Alexander Campbell in 1848 at Wheeling, then Wheeling, Virginia, now West Virginia. I have since received an estimate from the printer as to what the extra cost would be, and I therefore renew my request for permission to extend my remarks as indicated.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know what the extension is going to cost.

Mr. SHANNON. The cost will not be any more than what is authorized under the rules.

Mr. RICH. I appreciate that; but the Public Printer has given the gentleman an estimate of what the cost will be, and I would like to know what it is. I notice that the estimate is \$248; it must be a pretty good speech.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. KNUTSON. I object, Mr. Speaker, for the time being.

#### PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. The Chair will state to the gentlewoman from Massachusetts that under the previous order of the House the gentleman from Texas [Mr. LUTHER A. JOHNSON] is entitled to recognition at the conclusion of the consideration of matters on the Speaker's table. Does the gentleman from Texas [Mr. LUTHER A. JOHNSON] yield?

Mr. LUTHER A. JOHNSON. I yield to my colleague.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it will be perfectly satisfactory if my request may be granted to follow the gentleman from Texas.

The SPEAKER. There are other special orders already entered.

Mrs. ROGERS of Massachusetts. Then I shall accept the gracious yielding of the gentleman from Texas.

The SPEAKER. The gentlewoman from Massachusetts asks unanimous consent, despite former special orders, to address the House for 5 minutes at this time. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have introduced two resolutions today, one of them asking that